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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE ROCKY MOUNTAIN AREA—PART 1

Since these hearings are consecutively
paged they are arranged by page number instead
of alphabetically by title.

HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-FOURTH CONGRESS

SECOND SESSION

MAY 15 AND 16, 1956

Printed for the use of the Committee on Un-American Activities

(INDEX IN PART 2 OF THIS SERIES)



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AUG 29 1956

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1956

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

FRANCIS E. WALTER, Pennsylvania, *Chairman*

MORGAN M. MOULDER, Missouri

HAROLD H. VELDE, Illinois

CLYDE DOYLE, California

BERNARD W. KEARNEY, New York

JAMES B. FRAZIER, Jr., Tennessee

DONALD L. JACKSON, California

EDWIN E. WILLIS, Louisiana

GORDON H. SCHERER, Ohio

RICHARD ARENS, *Director*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress (1946), chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American Activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE ROCKY MOUNTAIN AREA—Part 1

TUESDAY, MAY 15, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Denver, Colo.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities convened, pursuant to call, at 10 a. m., in the courtroom of the United States Court of Appeals, Tenth Circuit, Post Office Building, Hon. Francis E. Walter of Pennsylvania (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania; James B. Frazier, Jr., of Tennessee; and Harold H. Velde, of Illinois.

Staff members present: Richard Arens, director; Courtney E. Owens, and W. Jackson Jones, investigators.

The CHAIRMAN. The committee will be in order.

This subcommittee of the House Committee on Un-American Activities is pleased to be in Denver, Colo., this week.

Let the record show that for the purpose of the hearing I have appointed as a subcommittee of the full committee Congressman James B. Frazier, Jr., of Tennessee, and the former distinguished chairman of this committee, Mr. Velde, of Illinois, and myself.

The Congress of the United States has imposed upon this committee the duty of investigating the extent, character, and objects of un-American propaganda activity in the United States, and the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or is of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

I might add that because of an editorial which appeared in one of the local newspapers, this is not an individual undertaking on my part, but I happen to be here because of the duty imposed upon me by the Congress of the United States.

This committee has devoted much time in the past years to the investigation of the subject of communism, and the committee has endeavored to keep Congress informed of the extent and the objectives of the Communist conspiracy within this country.

In the performance of this huge task the committee, in its reports to Congress, has made in excess of 40 recommendations for legislation

by Congress designed to aid in the fight against this Communist conspiracy, all but a few of which have been enacted into law.

In carrying out the statutory duties imposed upon this committee, the committee proposes in this hearing to continue its investigations of the extent, character, and objectives of Communist activities in this general area and in all other areas to which information developed may lead, as well as to investigate all other questions in relation thereto which would aid Congress in any necessary remedial legislation.

In recent months the committee has received extensive testimony in Chicago, Ill., and Washington, D. C., relating to the Communist Party activities and infiltration into various agencies of the United States Government.

During the course of these hearings testimony was received divulging the existence of heretofore undisclosed Communist Party cells which had operated in various Government agencies at various locations throughout the country. The committee was particularly privileged to receive the testimony of Mr. Herbert Fuchs, who is well known to some residents of this area.

Mr. Fuchs was a Director of the Disputes Division of the National War Labor Board in Denver, Colo., in 1943 and 1944, and Vice Chairman and public member of the Ninth Regional War Labor Board in 1944 and 1945. He later became Assistant General Counsel to the National Labor Relations Board in Washington, D. C., in 1946 and 1947, and solicitor to the National Labor Relations Board in 1947 and 1948.

Mr. Fuchs afforded this committee invaluable testimony and information dealing with the past infiltration and activities of the Communist Party within certain Government agencies.

The committee has never relaxed its efforts to determine if such Communist cells did exist, who were the leaders, what were their objectives, and whether they may still be operating.

It is indeed obvious that it is of paramount importance that this committee ascertain fully and completely what success, if any, the Communist Party had in the infiltration of our Federal Government system and to recommend remedial legislation to prevent any future degree of success by the Communist Party in this field.

The committee has had under almost constant study Communist Party activities of individuals who occupy places of leadership in the field of labor with the view of recommending appropriate remedial legislation. This will be the subject of a substantial part of this hearing.

The committee will also continue here to inquire into Communist "colonization" of industry, Communist infiltration into the professions, and Communist Party activities in general in the Rocky Mountain area, and I might add we hope to be able to demonstrate the manner in which the Communist conspirators take advantage of people and put them in front to do their bidding for them.

To those witnesses who decide that they will give us the benefit of their knowledge, I have this to say: You will have the heartfelt thanks of your fellow Americans and you will have made a worthy contribution to the cause of a free world.

It is the standing rule of this committee that any person named in the course of a hearing as a member of the Communist Party, shall be given an early opportunity to appear before this committee, if he

so desires, for the purpose of denying or explaining any testimony adversely affecting him. I might add, under oath. Should such an occasion arise, the individual concerned should communicate with a member of the staff or with me.

Those present in this hearing room are reminded that you are the guests of the committee. Disturbances of any kind or audible comment during the course of the testimony, whether favorable or unfavorable to any witness or the committee, will not be tolerated. For infractions of this rule, the offender immediately will be asked to leave the room.

Our thanks go to Judge Samuel G. Bratton for the use of his courtroom, to all the law-enforcement agencies, and to the many private citizens who have so willingly cooperated with the committee's staff during its preliminary investigation. Judge Bratton has asked me to caution all of you that there will be no smoking at any time during the use of the courtroom.

Will you call your first witness, Mr. Arens?

Mr. ARENS. Mr. Norman Pixler, please.

Please remain standing, Mr. Pixler, while the chairman administers the oath to you.

The CHAIRMAN. Will you raise your right hand, please. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PIXLER. I do.

The CHAIRMAN. Will you sit down, please.

TESTIMONY OF NORMAN C. PIXLER

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. PIXLER. Norman C. Pixler. I live at 1750 South Franklin, Denver, Colo. I am a labor-management consultant in the trucking industry.

Mr. ARENS. Mr. Pixler, would you kindly give us a thumbnail sketch of your early life, prior to the time that you became self-sufficient, where you were born and a word about your education, please, sir.

Mr. PIXLER. I was born in Eaton, Colo., March 14, 1914, and went to public schools there and graduated from high school in 1932. In 1932 I attended Colorado State College of Education. I received my A. B. degree from that institution in 1936 and in 1937 I worked on my master's degree.

In 1937 I taught history and political science and economics at Union High School, Westminster, Colo., a suburb of Denver. That was from 1937 to 1939.

In 1939 I went to work as a project supervisor for the National Youth Administration.

Mr. ARENS. Where was that, please, sir?

Mr. PIXLER. In Denver. I worked for that agency until approximately September of 1942. I was then hired as a teacher of history at the War Relocation Authority camp at Granada, Colo. I was a resident of Lamar, Colo., for approximately 2 months at that time, and I then came to Denver and secured employment as a labor econ-

omist with the Ninth Regional War Labor Board, starting, I believe, on November 28, 1942.

I worked for the National War Labor Board from November of 1942 until December 1944. In December 1944 I went to work as the head of the research department for the Teamsters Joint Council No. 54 in the city of Denver, which is a joint council of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America.

I worked for the teamsters until April of 1948, and following the April period I established my own business as consultant to the trucking industry in October of 1944. I have been engaged in that capacity since that time.

Mr. ARENS. Does that complete the chronology of your employment, Mr. Pixler?

Mr. PIXLER. That is right.

Mr. ARENS. Have you ever been a Communist?

Mr. PIXLER. No.

Mr. ARENS. Have you ever been solicited to join the Communist conspiracy?

Mr. PIXLER. Yes.

Mr. ARENS. Will you kindly in your own words, Mr. Pixler, tell us the circumstances of the solicitation, by whom, and where it took place?

Mr. PIXLER. Following, within a very short period, approximately 1 month from my employment by the Ninth Regional War Labor Board, Mr. Dwight Spencer invited me to come to his motel apartment.

Mr. ARENS. Would you hesitate a moment, please, sir. Identify Mr. Dwight Spencer.

Mr. PIXLER. Mr. Dwight Spencer is an individual I knew who worked for the National Youth Administration. He was at that time in some capacity with the Regional War Labor Board.

Mr. ARENS. Was that in 1942?

Mr. PIXLER. That is correct.

Mr. ARENS. Proceed, if you please, in your own words.

Mr. PIXLER. Mr. Spencer invited me to this meeting several days prior to it. He checked several times during the day before this meeting that night, which was to take place around 7 or 7:30 at night. I went to his motel, and at this meeting in my presence were Mr. Phil Reno.

Mr. ARENS. Will you identify Mr. Reno, please, sir.

Mr. PIXLER. Mr. Reno at that time was employed in some capacity with the Ninth Regional War Labor Board.

Mr. ARENS. Had you known Mr. Reno prior to the time that you laid eyes upon him in the motel?

Mr. PIXLER. Yes; for approximately, I would say, 18 months to 2 years.

Mr. ARENS. Was there anyone else present?

Mr. PIXLER. There was a Mr. Charles Bina.

Mr. ARENS. Identify him, please, sir.

Mr. PIXLER. Mr. Bina—at that time—I do not know whether he was employed or not by the Federal Government.

Mr. ARENS. Had you known him prior to meeting him on that occasion?

Mr. PIXLER. Yes, sir.

Mr. ARENS. How did you know him?

Mr. PIXLER. I knew him when he was connected either with the Works Progress Administration or subsequently, I believe, employed by the National Youth Administration.

Mr. ARENS. Was there anyone else present?

Mr. PIXLER. There was a Mr. John Murphy or McMurphy. I forget.

Mr. ARENS. Identify him, please, sir.

Mr. PIXLER. He was from New Mexico, and I believe he was connected formerly with the National Youth Administration.

Mr. ARENS. Proceed and tell us what transpired.

Mr. PIXLER. Shortly after all these people had arrived or were there, Mrs. Spencer left the room. Mr. Reno, Mr. Philip Reno, proceeded to take the floor and proceeded to state—it was his observation and his feeling that the present economic system was decadent, that in substance a better life could be had for all people of the world and of the United States by being members of the Communist Party or participating in Communist activities. The sum and substance is that after approximately, I would say, 45 minutes to an hour of that type of conversation, I was offered membership in the party by those present, either by Mr. Reno being the spokesman for the group or by those others that I knew there.

I was told what the dues would be and activities of that sort, how my wife would fit into those activities and things of that sort.

Mr. ARENS. Did Spencer identify himself to you as a Communist?

Mr. PIXLER. All five who were present identified themselves as Communists.

Mr. ARENS. I want to be specific. Did Dwight Spencer identify himself to you as a Communist?

Mr. PIXLER. I cannot say directly that he said, "I am a Communist," if that is what you mean.

Mr. ARENS. He solicited you to join the Communist Party; is that correct?

Mr. PIXLER. He certainly did.

Mr. ARENS. Did Philip Reno solicit you to join the Communist Party?

Mr. PIXLER. Yes.

Mr. ARENS. Did they indicate to you that they were part and parcel of the Communist conspiracy in this country?

Mr. PIXLER. There were implications to that. At least they indicated to me that they were part and parcel of the Communist conspiracy in the War Labor Board.

Mr. ARENS. Prior to the meeting which you have just recounted, did you go through a process of other meetings in which you were invited to participate?

Mr. PIXLER. Yes, over approximately a period from the time I first knew these people.

Mr. ARENS. Give us a brief sketch of the nature of those meetings and the extent to which you participated in them.

Mr. PIXLER. Most of these meetings fundamentally were for social purposes. There was some discussion of economic problems and some discussion of, let us say, the war and things of that nature, things in terms of union activity. Those meetings took place at various places, at Mr. Reno's house, at Mr. Bina's house.

Mr. ARENS. This was before you were actually solicited for membership in the Communist Party; is that correct?

Mr. PIXLER. That is correct.

Mr. ARENS. What was your response when you were solicited for membership?

Mr. PIXLER. My response was to the effect that I certainly did not understand communism basically well enough to become a member of the Communist Party without knowing what I was becoming a member of. In other words, I tried to play dumb.

Mr. ARENS. Did you ever join the Communist Party?

Mr. PIXLER. I never did.

Mr. ARENS. While an employee of the National War Labor Board, did you learn the names of the employees who were brought into the Board by Philip Reno, the man who had solicited you into membership in the Communist Party?

Mr. PIXLER. Yes.

Mr. ARENS. Would you give the committee the benefit of your recollection of the persons who were brought into the War Labor Board as employees by Philip Reno?

Mr. PIXLER. There was Gerald Matchett. There was another economist by the name of LaVallee.

Mr. ARENS. As you enumerate these people, I would like to have this record clear. Was Matchett brought in as an employee of the National War Labor Board by Philip Reno who solicited you into the Communist Party?

Mr. PIXLER. Philip Reno told me that by his recommendation LaVallee and Matchett were going to become employees of the Board.

Mr. ARENS. You know, do you not, Mr. Pixler, that Mr. Matchett has been identified before this committee as a person known to be a Communist?

Mr. PIXLER. No; I do not know that.

Mr. ARENS. Who was the next man brought into the War Labor Board by Mr. Reno?

Mr. PIXLER. LaVallee.

Mr. ARENS. Is that Ray LaVallee?

Mr. PIXLER. Ray LaVallee.

Mr. ARENS. Do you know that [Lawrence] Raymond LaVallee has been identified under oath by a witness before this committee as a person who was a Communist?

Mr. PIXLER. I do not know that.

Mr. ARENS. Do you have the name of another person who was brought into the War Labor Board as an employee by Philip Reno?

Mr. PIXLER. There was Ralph Price.

Mr. ARENS. Do you know that Ralph Price has been identified before this committee as a member of the Communist Party?

Mr. PIXLER. No.

Mr. ARENS. And that Price himself has since been cooperative with this committee?

Mr. PIXLER. I didn't know that.

Mr. ARENS. Do you have another name?

Mr. PIXLER. There was Martin Kurasch, head of the Legal Division for a period of time.

Mr. ARENS. Do you know that Martin Kurasch has been identified under oath before this committee as a person who was known to be a Communist?

Mr. PIXLER. No, sir.

Mr. ARENS. Was he brought into the War Labor Board as an employee by Philip Reno?

Mr. PIXLER. That is my understanding from him.

Mr. ARENS. Do you have the name of another person who was brought into the War Labor Board as an employee by Philip Reno?

Mr. PIXLER. I couldn't specifically say, because following this period where they became, let us say, convinced that I would not become a member of their party, then I more or less lost my contact as to subsequent employees who were being hired. I have some personal observations on the matter, but as far as Mr. Reno seeing them, I can't say that.

Mr. ARENS. Was Spencer also one of the employees brought into the War Labor Board by Reno?

Mr. PIXLER. Yes.

Mr. ARENS. Do you know that Dwight Spencer has been identified as a Communist by a witness before this committee under oath?

Mr. PIXLER. Except by press report.

Mr. ARENS. Do you know of anyone who was brought into the War Labor Board as an employee by Spencer as distinct from Reno?

Mr. PIXLER. Spencer himself never told me that he brought anybody in.

Mr. ARENS. During the course of your employment at the War Labor Board, did you know Herbert Fuchs?

Mr. PIXLER. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. PIXLER. Only in terms of processing cases that had a bearing upon disputes existing in the Board at that time.

Mr. ARENS. Did you report to your superiors in the War Labor Board the incidents which you have just recounted to us of your solicitation for membership in the Communist conspiracy?

Mr. PIXLER. I don't understand the question.

Mr. ARENS. Did you report to your superiors in the War Labor Board what you have just recounted to us?

Mr. PIXLER. I did.

Mr. ARENS. To whom did you report?

Mr. PIXLER. I first reported to Vernon H. Jensen, who was my boss in the Wage Stabilization Division.

Mr. ARENS. Did you report to any other person?

Mr. PIXLER. I subsequently reported to a committee of public members of the Board consisting of Charles Graham, who was chairman, Dean Leaphart, who was vice chairman, and Dean Edward King, who is now with the University of Colorado Law School.

Mr. ARENS. What transpired after you reported this incident to your superiors you have just mentioned?

Mr. PIXLER. I told in complete detail to the three public members of the Board what transpired at this motel, the whole conversation and activities as I knew them of at least Communists, that I knew were Communists in the Board. Approximately a week or 2 weeks thereafter, the public member of the Board said from here on out we are

tightening up rules on drinking coffee and things of that sort. It was in my judgment a complete whitewash.

Mr. ARENS. Was anyone fired as a result of this inquiry?

Mr. PIXLER. Absolutely not. In fact, most of them were promoted.

Mr. ARENS. Was anyone reprimanded as a result of this inquiry?

Mr. PIXLER. Nobody but me.

Mr. ARENS. While this group about whom you have been telling us, were, we might say, courting you in these various social functions before soliciting you for membership in the party, were they instrumental in obtaining any promotion or any increase in salary for you?

Mr. PIXLER. Yes, they were. During the period of time when they considered me as a prospect. In other words, I will illustrate the point. I went to work as a P-1 labor economist, and within a month's period of time they promoted me to a P-2 economist. Then during this process of considering me a prospect they offered additional opportunities of getting ahead in the Federal service.

Mr. ARENS. After you declined membership in the Communist Party when solicited for such membership, what was the attitude toward you of this group you have been describing?

Mr. PIXLER. They did everything in their power to try to run me out, which they fundamentally succeeded in 2 years later.

Mr. ARENS. During the course of your employment with the National War Labor Board in the Denver area, did you acquire information respecting the distribution of Communist literature among the employees?

Mr. PIXLER. Oh, yes.

Mr. ARENS. Could you tell us about that in your own words?

Mr. PIXLER. The War Labor Board was first located on the third or fourth floor of the Midland Savings Building in the city of Denver. Right immediately around the elevator there were two real small offices. One was in back of the elevator and one was immediately adjacent to it, with a doorway in between. Shortly after this matter had been brought to my attention, I mean the membership offer, Mr. Spencer, who was sitting in the little office, used to have the Daily Worker and other publications which the Communist Party put out. I know they were distributed to various people in the Board, and even given to me. Those things are in the files of the FBI. He spent a considerable amount of his time trying—he, along with Mr. Graham, spent a considerable amount of their time trying to raise clothing for Russian war relief, which as I recall was the Anglo-Russian War Relief Association, or something of that nature.

Mr. ARENS. So the record may be clear, Mr. Pixler, you are appearing today in response to a subpoena which was served upon you; is that correct?

Mr. PIXLER. That is correct.

Mr. ARENS. We have no further questions at this time of this witness, Mr. Chairman.

The CHAIRMAN. Any questions, Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. VELDE. No questions.

The CHAIRMAN. Who was your immediate superior?

Mr. PIXLER. Vernon H. Jensen.

The CHAIRMAN. To whom was he answerable?

Mr. PIXLER. He was answerable to the public members of the regional War Labor Board.

The CHAIRMAN. Thank you. That is all.

Mr. ARENS. May I respectfully suggest that the witness not be excused from his subpoena as yet because we may have use for him later on today.

The CHAIRMAN. The witness will stand aside for the moment and we will call another witness.

Mr. ARENS. Mr. Philip Reno, please.

Mr. FRANCIS. My name is George Francis. I appear as attorney and counsel for Mr. Reno. At the outset of this hearing may I enter an objection to the use of the television camera?

The CHAIRMAN. There is no television camera on.

Will you raise your right hand, please. Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RENO. I do.

TESTIMONY OF PHILIP RENO; ACCOMPANIED BY COUNSEL, GEORGE FRANCIS

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. RENO. My name is Philip Reno. I live in Taos, N. Mex. I have a small farm there; I am a farmer.

Mr. ARENS. Are you appearing today, Mr. Reno, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. RENO. That is correct.

Mr. ARENS. Will counsel kindly identify himself for the record?

Mr. FRANCIS. George Francis, admitted to practice in New York and Colorado, offices in Denver, Colo.

Mr. ARENS. Mr. Reno, where and when were you born?

Mr. RENO. In Idaho Falls, Idaho, June 22, 1913.

Mr. ARENS. Will you give us a word, if you please, sir, about your early schooling prior to the time that you became self-sufficient?

Mr. RENO. I attended secondary and primary schools in Colorado and various towns and the University of Colorado, from which I graduated in 1934.

Mr. ARENS. What degree did you receive in 1934?

Mr. RENO. Bachelor of arts.

Mr. ARENS. Did that complete your formal education?

Mr. RENO. I took one postgraduate course, perhaps half a year, at the university and thereafter only sporadically.

Mr. ARENS. Tell us about your employment since completion of your formal education.

Mr. RENO. I left the university to take employment with the Farm Credit Administration in Washington, D. C.

Mr. ARENS. And in what capacity and what year, please?

Mr. RENO. In 1935, and in the Personnel Division as a classification assistant. Thereafter I was employed by the Social Security Board in Washington.

Mr. ARENS. How long were you with the Farm Credit Administration?

Mr. RENO. Perhaps 2 years.

Mr. ARENS. That would make it about 1937?

Mr. RENO. Yes, about.

Mr. ARENS. Give us your next employment.

Mr. RENO. With the Social Security Board in Washington as an economist and thereafter in the Social Security Board regional office in Denver.

Mr. ARENS. When were you transferred to the Denver area?

Mr. RENO. In 1941.

Mr. ARENS. Was that in the Denver office of the Social Security Board?

Mr. RENO. That is right.

Mr. ARENS. In what capacity did you serve here?

Mr. RENO. As one of the several assistant regional representatives.

Mr. ARENS. Kindly tell us how long you served in that capacity.

Mr. RENO. About a year and a half. Between a year and a half and 2 years. Then I transferred to the War Labor Board as an economist.

Mr. ARENS. When was that, please, sir?

Mr. RENO. Late in 1942, perhaps December.

Mr. ARENS. In 1942, National War Labor Board?

Mr. RENO. Yes.

Mr. ARENS. Kindly continue with the sequence of your employments.

Mr. RENO. I left the War Labor Board after about 2 or 3 months employment and went to work for the shipyard workers union in Baltimore.

Mr. ARENS. In what capacity?

Mr. RENO. I edited a newspaper.

I returned to Denver after about a year and worked in Denver for the CIO Denver office and the Denver Political Action Committee of the CIO. Then I was employed next by an independent liberal political organization called the Social Action Council.

Mr. ARENS. Could you give us the date of that please, sir?

Mr. RENO. During 1946. Then I spent a year on my father's ranch in Idaho. Thereafter I was self-employed, primarily in the construction industry, either building or doing remodeling or whatever jobs were available.

Mr. ARENS. What year are we in now, please, sir?

Mr. RENO. We are about 1948, until the present time, until 2 years ago, when I moved to Taos and bought a farm.

Mr. ARENS. From 1948 until you bought your farm you were either self-employed in construction work or on the ranch of your father; is that correct?

Mr. RENO. That is right.

Mr. ARENS. Were you ever employed by the Industrial Union of Marine and Shipbuilding Workers of America in Baltimore?

Mr. RENO. Yes. That is the shipyard workers union to which I referred.

Mr. ARENS. Did you ever work for the International Union of Mine, Mill, and Smelter Workers?

Mr. RENO. No.

Mr. ARENS. Mr. Reno, I lay before you a photostatic copy of a document entitled "Application for Federal Employment." There appears

a signature at the end of the document, and I ask you if that is your signature?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that, sir, on the grounds that any answer that I might give might tend to incriminate me.

Mr. ARENS. Do you honestly apprehend if you told this committee of the Congress whether or not this is your signature appearing on a document entitled "Application for Federal Employment" you would be giving information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. RENO. I again decline to answer and invoke my privilege.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer this last pending question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer on the same grounds.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that this is your signature on the application for Federal employment.

Mr. RENO. I decline to answer that question again on the same grounds.

Mr. ARENS. Are you a Communist?

Mr. RENO. I decline to answer that question——

(The witness conferred with his counsel.)

Mr. RENO. I would be glad to answer that question if the committee will advise me as to whether or not it will waive any immunity I wish to claim hereafter if I answer in the negative.

Mr. ARENS. Are you now, as of this moment, a member of the Communist Party?

Mr. RENO. May I say again I would be glad to answer if the committee can assure me that such an answer will not constitute a waiver of the immunity I wish to claim hereafter.

Mr. ARENS. The committee will not undertake to bind itself on anything which you may hereafter say, except pursuant to formal consultation and vote by the committee itself. I again ask you, Are you now a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Reno, on form 57, an application for Federal employment in response to the question, "Do you advocate or have you ever advocated, or are you now or have you ever been a member of any organization that advocates the overthrow of the Government of the United States by force and violence?", did you under oath answer such a question "No"?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that Mr. Pixler be invited to come forward so that Mr. Reno may have the benefit of looking him in the eye and having a live witness whom he could observe. Mr. Pixler, would you kindly come forward. Just have a seat, Mr. Pixler.

Mr. Reno, do you know this man here who is seated opposite you?

Mr. RENO. I decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Reno, look at this man seated opposite you squarely in the eye; look at him in the face, confront him, and tell this committee whether or not he was lying under oath when he said a few moments ago that you solicited him for membership in the Communist Party.

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that question on the grounds previously stated, and I will not be compelled to be a witness against myself.

Mr. ARENS. Do you honestly apprehend that if you told this committee whether or not Mr. Pixler was telling the truth when he said you solicited him for membership in the Communist Party, you would be supplying information which could be used against you in a criminal proceeding?

Mr. RENO. I decline to answer that question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that last principal question.

The CHAIRMAN. Will you read the question?

(The reporter read from his notes as requested.)

Mr. ARENS. The question is with reference to his apprehension.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. RENO. Will you repeat the question?

Mr. ARENS. Do you honestly apprehend that if you told this committee the truth as to whether or not Mr. Pixler was telling the truth when he said under oath that you solicited him for membership in the Communist Party, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer on the same grounds.

Mr. ARENS. Is the record clear, Mr. Chairman, that he has been ordered and directed to answer that last principal question?

The CHAIRMAN. Yes; he has been directed to answer.

Mr. ARENS. That will be all for the moment, Mr. Pixler.

The CHAIRMAN. Before you go on, may I ask a question. Mr. Reno, you were employed by the National War Labor Board, were you not?

Mr. RENO. Yes.

The CHAIRMAN. Who was your direct or immediate superior?

(The witness conferred with his counsel.)

The CHAIRMAN. You do not have to have legal advice to tell me a simple little thing like that. Who was your direct superior?

(The witness conferred with his counsel.)

Mr. RENO. From statements previously given to this committee I feel that any answer I might give might tend to incriminate me and therefore I refuse to answer.

The CHAIRMAN. Who were the public members of the Board?

(The witness conferred with his counsel.)

The CHAIRMAN. To the best of your recollection, of course.

Mr. RENO. I recall Charles Graham, of course, Glenn Donaldson, Ed King. I was employed by the Board for only 2 or 3 months.

The CHAIRMAN. Was the Charles Graham you mentioned the former Chairman of the Board?

Mr. RENO. Yes.

The CHAIRMAN. Is he one of the individuals you gave as a reference on your application?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that on the grounds that——

The CHAIRMAN. The record speaks for itself. At this point I direct that the document, Mr. Reno's application for Federal employment, be made a part of these proceedings.

Mr. ARENS. May I suggest that it be marked "Reno Exhibit No. 1," incorporated by reference in the record, and retained in the files of the committee.

The CHAIRMAN. Yes.

Proceed, please.

Mr. ARENS. Mr. Reno, do you know a man by the name of Herbert Fuchs, F-u-c-h-s?

(The witness conferred with his counsel.)

Mr. RENO. This is the Herbert Fuchs who testified before this committee?

Mr. ARENS. Yes, sir.

Mr. RENO. In that case I decline to answer on the grounds stated.

Mr. ARENS. Mr. Fuchs testified under oath before this committee in a public session in which he identified you as a person known by him to a certainty to have been a member of the Communist Party. Was he lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. RENO. I decline on the grounds previously stated.

Mr. ARENS. Do you know or have you known a person by the name of Gerald J. Matchett?

Mr. RENO. Has this Gerald Matchett been referred to in testimony before this committee?

Mr. ARENS. Can't you answer the simple question as to whether or not you knew a man or know a man by the name of Gerald Matchett?

Mr. RENO. I am simply trying to identify him.

Mr. ARENS. From the standpoint of pictures in your own mind see if you can recall ever knowing a man by the name of Gerald Matchett.

Mr. RENO. I decline to answer on the grounds previously given.

Mr. ARENS. Do you honestly apprehend if you told this committee the truth as to whether or not you have ever known a man by the name of Gerald Matchett you would be supplying information which could be used against you in a criminal proceeding?

Mr. RENO. I decline to answer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that last principal question.

The CHAIRMAN. You are directed to answer the question.

(The witness conferred with his counsel.)

Mr. RENO. Will you repeat the question, please?

Mr. ARENS. The last principal question is, Do you honestly apprehend if you told this committee the truth as to whether or not you know or have known a person by the name of Gerald Matchett you would be supplying information which could be used against you in a criminal proceeding?

Mr. RENO. I decline to answer.

Mr. ARENS. The record is clear, is it not, Mr. Chairman, that he has been ordered and directed to answer that question?

The CHAIRMAN. Yes.

Mr. ARENS. Do you know, or have you known, a person by the name of Raymond La Vallee?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer on the grounds previously stated.

Mr. ARENS. Do you know, or have you known, a person by the name of Dwight Spencer?

Mr. RENO. I decline to answer on the grounds previously stated.

Mr. ARENS. Do you know, or have you known, a person by the name of Ralph Price?

Mr. RENO. I decline to answer that on grounds stated.

Mr. ARENS. Were you in any way responsible for their employment with the National War Labor Board in Denver?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that on the grounds already stated.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you actually were instrumental in the employment by the National War Labor Board in Denver of Gerald Matchett, Raymond LaVallee, Dwight Spencer, and Ralph Price.

Mr. RENO. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Some several months ago, in September of last year, were you interviewed by a member of the staff of the House Committee on Un-American Activities, a Mr. Wheeler?

(The witness conferred with his counsel.)

The CHAIRMAN. Let's save some time. Some months ago you were interviewed by an investigator of this committee by the name of Wheeler. Proceed from there.

Mr. ARENS. Did you tell Mr. Wheeler at that time you were not a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that on the grounds already stated.

Mr. ARENS. I put it to you as a fact, and ask you to confirm or deny the fact, that you did deny membership in the Communist Party in the interview with Mr. Wheeler, which was not under oath.

(The witness conferred with his counsel.)

Mr. RENO. I would be glad to answer that question if the committee will not consider a negative answer, an answer on my part as a waiver of immunity.

Mr. ARENS. All we want you to do is tell us the truth. Did you deny to Mr. Wheeler that you were a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that on the grounds already given.

Mr. ARENS. You recognize, do you not, Mr. Reno, that you are currently under oath?

Mr. RENO. Yes.

Mr. ARENS. You recognize of course that you could be subjected to the pains and penalties of perjury if you did commit a falsehood before this committee?

Mr. RENO. Oh, yes.

Mr. ARENS. Do you propose after you are released from your oath to step out here in the hall or issue a press statement to the effect, "Of course I am not a member of the Communist Party, but I am not

going to tell that witch-hunting House Committee on Un-American Activities that I am not a member of the Communist Party”?

(The witness conferred with his counsel.)

Mr. RENO. I fail to see the relevance of your question.

Mr. ARENS. Do you propose after your release from your oath before this committee to tell the truth, to deny membership in the Communist Party, as others have done?

Mr. RENO. I refuse to answer that question.

Mr. ARENS. Why?

(The witness conferred with his counsel.)

Mr. RENO. I refuse to answer the question.

The CHAIRMAN. You are directed to answer.

Mr. RENO. You ask me to answer what I will do in the future?

The CHAIRMAN. I ask you the present status of your mind as to what you intend to do.

Mr. RENO. I have no intention at present in any respect.

Mr. ARENS. When you were working for the Social Security Board in Washington, D. C., were you a member of the Communist Party?

Mr. RENO. I decline to answer that question on the grounds already given.

Mr. ARENS. Were you a member of the Communist Party at the time of your first employment by the Federal Government?

Mr. RENO. I decline to answer that on the grounds already given.

Mr. ARENS. Have you ever been expelled from the Communist Party?

(The witness conferred with his counsel.)

Mr. RENO. I decline to answer that question on the grounds already given.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. RENO. I decline to answer that on the grounds stated.

Mr. ARENS. There is testimony under oath before this committee, Mr. Reno, that you attended section meetings of the Communist conspiracy in Washington. Is that testimony true or is it false?

Mr. RENO. I decline to answer that on the grounds already stated.

Mr. ARENS. While you were identified with the War Labor Board or during that approximate period in your career, did you introduce into the War Labor Board any persons for employment, or were you instrumental in the employment of any persons by the War Labor Board in this Denver area?

(The witness conferred with his counsel.)

Mr. RENO. Because of previous testimony before this committee I decline to answer that question on the grounds I have given.

Mr. ARENS. Is that the previous testimony of the man who just swore that you did do so?

(The witness conferred with his counsel.)

Mr. RENO. That is because of previous testimony given.

Mr. ARENS. Is it his testimony, the previous witness' testimony to which you are alluding?

(The witness conferred with his counsel.)

Mr. RENO. Because of the testimony of the previous witness, yes.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that part of your responsibility in the Communist conspiracy was to introduce into the Federal Government persons known by you to be members of that conspiracy?

Mr. RENO. I decline to answer that on the grounds given.

Mr. ARENS. I have no further questions at this time of this witness, Mr. Chairman.

The CHAIRMAN. The witness is excused.

Mr. FRANCIS. Mr. Chairman, is the witness excused?

The CHAIRMAN. Yes.

The committee will be in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. You may call your next witness.

Mr. ARENS. Mr. Dwight Spencer, please.

Kindly remain standing while the chairman administers the oath to you.

The CHAIRMAN. Raise your right hand, please, Mr. Spencer. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SPENCER. I do.

TESTIMONY OF DWIGHT SPENCER; ACCOMPANIED BY COUNSEL, GEORGE FRANCIS

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SPENCER. My name is Dwight Spencer. I have a small farm on the outskirts of Albuquerque, N. Mex.

Mr. ARENS. Are you appearing today, Mr. Spencer, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SPENCER. Right, sir.

Mr. ARENS. Are you represented by counsel?

Mr. SPENCER. Yes.

Mr. ARENS. Counsel, kindly identify yourself for the record.

Mr. FRANCIS. George Francis, admitted to practice in the States of New York and Colorado, offices in Denver, Colo.

Mr. ARENS. Mr. Spencer, give us, if you please, sir, a thumbnail sketch of your early life prior to the time that you became self-sufficient. Where were you born, your early education, and so forth.

Mr. SPENCER. I was born in Denver, Colo., in 1895, June 8. High schools in New England and Colorado. Graduated from Brown University, with a bachelor of arts degree.

Mr. ARENS. When did you graduate from Brown University?

Mr. SPENCER. 1919.

Mr. ARENS. Did that complete your formal education?

Mr. SPENCER. Yes, sir.

Mr. ARENS. Would you kindly trace in thumbnail form the chronology of various employments you have had since the completion of your formal education?

Mr. SPENCER. 15 years of teaching.

Mr. ARENS. Where, please?

Mr. SPENCER. In Colorado, 3 years at ranching.

Mr. ARENS. I think we could keep our record straighter this way. Did you begin teaching immediately after the completion of your formal education at Brown?

Mr. SPENCER. Right.

Mr. ARENS. That would be from 1920, then, for the following 15 years.

Mr. SPENCER. Right.

Mr. ARENS. Would that bring us up through about 1935 that you were engaged in teaching?

Mr. SPENCER. Right.

Mr. ARENS. Give us, please, sir, the names of the institutions where you were engaged as a teacher.

(The witness conferred with his counsel.)

Mr. SPENCER. 13 years in Cheyenne Mountain High School on the outskirts of Colorado Springs, 2 years in Winnetka, Ill., at the North Shore Country Day School; which completed my years as a school-teacher.

Mr. ARENS. I believe the committee may have a little difficulty understanding you, Mr. Spencer. Would it be convenient for you to raise your voice a little, please?

Continue the chronology of your employment, if you please, sir.

Mr. SPENCER. Up until 1940, ranching.

Mr. ARENS. Where?

Mr. SPENCER. In Colorado, east of Colorado Springs.

Mr. ARENS. Self-employed?

Mr. SPENCER. Right. Six years Federal employment.

Mr. ARENS. Would you kindly enumerate your Federal employment, beginning, I take it, in 1940. Is that correct?

Mr. SPENCER. Right. National Youth Administration.

Mr. ARENS. Where and in what capacity?

Mr. SPENCER. Denver. Youth personnel director for the State of Colorado until the early part of 1942, then the National War Labor Board until 1945, then a few months—

Mr. ARENS. Was that National War Labor Board employment here in Denver?

Mr. SPENCER. Right, sir.

Then a few months with the Wage Stabilization Board.

Mr. ARENS. Where was that employment?

Mr. SPENCER. Here in Denver. That was all.

The CHAIRMAN. What had you been doing just before you went with the National Youth Administration?

Mr. SPENCER. Ranching, sir.

The CHAIRMAN. How did that qualify you for a top position in the NYA? What does ranching have to do with the National Youth Administration?

(The witness conferred with his counsel.)

Mr. SPENCER. My previous school work, sir, I assume.

Mr. ARENS. Mr. Spencer, are you a Communist?

(The witness conferred with his counsel.)

Mr. SPENCER. If I answer that question in the negative would the committee consider that a waiver of my rights under the fifth amendment?

The CHAIRMAN. We will cross that bridge when we come to it, if we come to it.

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer that question on the grounds of my rights under the fifth amendment.

Mr. ARENS. Do you honestly apprehend, that if you told this committee whether or not at this instant you are a Communist, you would be supplying information which might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline, sir, on the ground previously given.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question, Mr. Spencer.

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer that question on the grounds previously given.

The CHAIRMAN. You have been identified by a number of persons as having been a member of the Communist conspiracy. Will you name the people, Mr. Arens, who have, from time to time, identified Mr. Spencer?

Mr. ARENS. Yes. Mr. Herbert Fuchs, Mr. Spencer, testified under oath before this committee that he knew you as a member of the Communist Party. Was Herbert Fuchs lying or was he telling the truth?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given.

The CHAIRMAN. I suppose in some quarters Mr. Fuchs would be described as a faceless informer.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that we have a witness today who might stand up. Mr. Pixler, would you kindly stand up?

The CHAIRMAN. Mr. Spencer, do you know this gentleman standing here?

(The witness conferred with his counsel.)

The CHAIRMAN. It is just a question of fact.

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Mr. Pixler testified under oath this morning and subjected himself to the pains and penalties of perjury. He said in effect that you had solicited him for membership in the Communist Party. Now look that man in the face and tell us whether or not he was telling the truth or whether he was lying.

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Were you a Communist when you were teaching from 1919 to 1934?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline on the grounds previously given.

(The witness conferred with his counsel.)

Mr. ARENS. Mr. Spencer, I lay before you a photostatic copy of a brief news item which I should like to read for the information of the committee. It is a news item from the Colorado Springs Gazette Telegraph. I assume that is the name of the publication. December 18, 1955, Albuquerque, N. Mex.

A retired public relations man identified as a Communist by a former Denver War Labor Board official said Friday that the charge is beyond reason. The former Board official, Herbert Fuchs, named 23 men, including himself and the public relations man, Dwight Spencer, as known Communists in either the Board or the National Labor Relations Board. Spencer said he knew Fuchs as an official of the Denver WLB where Spencer had served during Communist—

there is a typographical error here—

an official of the Denver WLB where Spencer had served during the war. But as far as being a Communist, Spencer replied, "All I can say is that the charge is plain silly.

Look at the article, Mr. Spencer, and tell us whether or not that article is a true and accurate quotation of yourself.

(Witness conferred with his counsel.)

Mr. SPENCER. I decline to answer that question on the grounds that I cannot be compelled to be a witness against myself.

Mr. ARENS. Do you honestly apprehend, that if you told this committee the truth as to whether or not this is an accurate representation of your statements appearing in the Colorado Springs Gazette, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the same grounds previously given.

Mr. ARENS. Was Fuchs' testimony about you just plain silly?

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. You weren't under oath, were you, Mr. Spencer, when you told the newspaper reporter that Fuchs' testimony was just plain silly?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Have you denied that you were a member of the Communist Party to any person for presentation to the public in a newspaper?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given, and I don't intend to waive my rights under the fifth amendment.

Mr. ARENS. You recognize, do you not, that you are currently under oath and subject to the pains and penalties of perjury if you lie to this committee? You recognize that fact, do you not, Mr. Spencer?

Mr. SPENCER. Yes, sir.

Mr. ARENS. Do you intend after your release from this committee to step outside or to go to some other newspaper reporter and say, "Of course I was never a member of the Communist Party, but I wasn't going to tell that witchhunting House Un-American Activities Committee that I was not a member of the Communist Party"?

(The witness conferred with his counsel.)

Mr. SPENCER. I don't see how I can answer a speculative question, sir.

Mr. ARENS. What is your present intention? What is the state of your mind as of the moment?

Mr. SPENCER. I have no intentions at present.

Mr. ARENS. Have you ever been a member of an organization dedicated to the destruction of the Constitution of the United States?

(The witness conferred with his counsel.)

Mr. SPENCER. Will you repeat that question?

Mr. ARENS. Have you ever been a member of an organization dedicated to the destruction of the Constitution of the United States and the forceful overthrow of the Government of the United States?

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. When you were engaged in your teaching career be-

tween 1920 and 1935, were you then a member of the Communist conspiracy?

Mr. SPENCER. I decline to answer on the same grounds.

Mr. ARENS. Did you teach a little Marxism or a little communism along with the history you taught?

Mr. SPENCER. I decline to answer that on the same grounds.

Mr. ARENS. Have you ever been identified with a middle school, what is called a middle school?

(The witness conferred with his counsel.)

Mr. SPENCER. Please repeat the question.

Mr. ARENS. Mr. Chairman, that observation by the witness is just a repetition of the words of counsel. I think counsel should be advised that his function here is only to advise his client on his constitutional rights and not to tell him what to say.

Have you ever been identified with the middle school?

Mr. SPENCER. Right.

Mr. ARENS. What was the middle school?

Mr. SPENCER. It corresponded to a junior high school.

Mr. ARENS. Where was it located?

Mr. SPENCER. As I previously stated, at the North Shore Country Day School, in Winnetka, Ill.

Mr. ARENS. Did you at one time take a tour to visit 87 educational institutions widely scattered over the United States?

(The witness conferred with his counsel.)

Mr. SPENCER. Now that you bring it to my attention, sir, I did.

Mr. ARENS. Was that tour you made to the 87 educational institutions, pursuant to a directive of one of the comrades in the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. SPENCER. I was sent by the Julius Rosenwald Fund.

Mr. ARENS. Were you a Communist when you were on that tour?

Mr. SPENCER. I decline to answer on the grounds previously given, sir.

Mr. ARENS. Were your activities on that tour pursuant to directives from the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. SPENCER. I was sent by the Julius Rosenwald Foundation.

Mr. ARENS. Can't you answer the question as to whether or not you were under the discipline of the Communist conspiracy irrespective of who sent you or from where you received the funds to go?

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Do you mean to tell this committee that you honestly apprehend, that if you would state truthfully whether or not in this nationwide tour of 87 educational institutions, your activities were under the direction of the Communist conspiracy, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. SPENCER. I decline to answer on the same grounds, sir.

Mr. ARENS. How did you get your job with the National War Labor Board?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Was your job procured for you by a person known by you at that time to have been a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer on the same grounds.

Mr. ARENS. It was procured for you or at least expedited in procurement by Philip Reno; was it not?

Mr. SPENCER. I decline to answer on the same grounds.

Mr. ARENS. Who is Philip Reno?

Mr. SPENCER. I decline to answer on the same grounds.

Mr. ARENS. Do you mean to tell this committee, if you told us the truth as to whether or not you know who Philip Reno is, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer, sir, on the same grounds.

Mr. VELDE. Mr. Counsel, to what job are you referring?

Mr. ARENS. His job, if you please, sir, with the National War Labor Board in Denver.

What post did you occupy in the War Labor Board in Denver?

(The witness conferred with his counsel.)

Mr. SPENCER. I began as an economist and then transferred to the Disputes Division as a disputes officer.

Mr. ARENS. Is that the only description you could give of the various positions you had with the War Labor Board in Denver?

Mr. SPENCER. I finished as Director of the Disputes Division.

Mr. ARENS. How many people were under your supervision when you were Director of the Disputes Division?

(The witness conferred with his counsel.)

Mr. SPENCER. It was about 3 or 4.

Mr. ARENS. During the course of your employment with the War Labor Board, did you know a person by the name of John W. Porter?

(The witness conferred with his counsel.)

Mr. SPENCER. Has that John Porter been named before this committee, sir?

Mr. ARENS. Just tell us whether or not you know a person by the name of John W. Porter.

Mr. SPENCER. I decline to answer on the grounds previously stated.

Mr. ARENS. Did you know a person by the name of Margaret Bennett Porter?

Mr. SPENCER. I decline to answer on the grounds previously given.

Mr. ARENS. Did you know a person by the name of Martin Kurasch?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Lillian Kurasch?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Edward Scheunemann?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Cecelia Scheunemann?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Gerald J. Matchett?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Margaret Matchett?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Lawrence Raymond LaVallee?

Mr. SPENCER. The same answer.

Mr. ARENS. Did you know a person by the name of Mary Spencer?

Mary Spencer is your wife, is she not?

The CHAIRMAN. You certainly don't need any legal advice to answer that question.

Mr. SPENCER. Yes, sir.

Mr. ARENS. Did you know Don Plumb?

Mr. SPENCER. I decline to answer on the same grounds.

Mr. ARENS. Arlyne Plumb?

Mr. SPENCER. The same answer.

Mr. ARENS. And Herbert Fuchs?

Mr. SPENCER. The same answer.

Mr. ARENS. Were there any persons whom you knew at the War Labor Board, whose names you can recount to this committee without giving information which, in your judgment, could be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer, sir, on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, he be ordered and directed to answer that question.

The CHAIRMAN. You were at the head of the Disputes Division, were you not?

(The witness conferred with his counsel.)

Mr. SPENCER. In the last few weeks, sir.

The CHAIRMAN. Who was under your supervision in the Disputes Division?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer, sir, on the grounds previously given.

The CHAIRMAN. What crime do you think you could be charged with if you were to give us the names of the people who were serving directly under you and whose names are a matter of public record?

(The witness conferred with his counsel.)

Mr. SPENCER. I feel, sir, that this line of questioning would tend to make me a witness against myself, and therefore I exercise my rights under the fifth amendment.

The CHAIRMAN. I think it is the duty of the Chair to advise you that you are assuming the responsibility yourself of not answering a question which in no possible way could violate any of your constitutional rights; and I do so advise you.

Mr. ARENS. Mr. Spencer, I lay before you a photostatic copy of a document entitled "Application for Federal Employment," with a signature of the applicant at the bottom of it as Dwight Spencer. I ask you if you can identify that signature.

(The witness conferred with his counsel.)

Mr. ARENS. Just look at that signature, and tell us whether or not that is your signature.

Mr. SPENCER. I decline to answer, sir, on the grounds previously given.

Mr. ARENS. Look at question 26 on this document. It reads as follows:

Do you advocate or have you ever advocated or are you now or have you ever been a member of any organization which advocates the overthrow of the Government of the United States by force or violence?

Under the column "No" there is an "X" and the document is dated in July of 1946.

Did you cause that "X" to be placed on this document, after question 26 in the "No" column in answer to question 26?

(The witness conferred with his counsel.)

Mr. SPENCER. The same answer, sir.

Mr. ARENS. Did you lie to the Federal Government when you were applying for employment in 1946 with reference to whether or not you had been a member of a conspiracy designed to overthrow the very Government in which you were then seeking employment?

Mr. SPENCER. The same answer, sir.

Mr. ARENS. Were you in 1946, at the time you were seeking employment in the Federal Government, a member of the Communist conspiracy?

Mr. SPENCER. The same answer, sir.

Mr. ARENS. When you were with the Wage Stabilization Board in 1946, what was your title, or position?

Mr. SPENCER. I can't remember exactly, sir.

(The witness conferred with his counsel.)

Mr. SPENCER. I can't remember exactly, sir, what that was.

Mr. ARENS. Did you occupy a post fairly close to the chairman?

(The witness conferred with his counsel.)

Mr. SPENCER. Yes, sir.

Mr. ARENS. Who was the chairman?

(The witness conferred with his counsel.)

Mr. SPENCER. Glenn Donaldson, sir.

Mr. ARENS. Were you, in the event of his absence, acting chairman?

(The witness conferred with his counsel.)

Mr. SPENCER. That was, as I recall, sir, a somewhat confusing situation because we were closing the agency. I never signed any documents as acting chairman because I did not have that authority. I was called an acting chairman with no change in status as far as income or check was concerned.

Mr. ARENS. You were chief of the Wage Stabilization Division, were you not?

Mr. SPENCER. I was—certainly I was at the head of that Division, as I recall, working directly—

Mr. ARENS. How many people were under your direction or supervision?

Mr. SPENCER. Again, 2 or 3.

Mr. ARENS. Did you have the responsibility and authority to direct the activities of the staff members in processing all wage cases in this Ninth Region?

Mr. SPENCER. The Division was so small, sir, that that was in effect handled directly by the chairman.

The CHAIRMAN. Who were the three employees in that Division?
(The witness conferred with his counsel.)

Mr. SPENCER. I can't recall a single one. It is too many years ago.

The CHAIRMAN. To the best of your recollection, who were they?

Mr. SPENCER. I cannot recall a single name, sir.

Mr. ARENS. Were any of them known by you to be members of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. SPENCER. I can hardly answer that, sir. I can't even remember their names.

Mr. ARENS. Do you recall the physical appearance of any of the employees who were under your supervision at the Wage Stabilization Board?

(The witness conferred with his counsel.)

Mr. SPENCER. One woman, two men, as I would guess, sir, to the best of my recollection.

Mr. ARENS. Do you have any recollection as to either a first name or a last name of any of the three?

Mr. SPENCER. None at all.

Mr. ARENS. Did you belong to any organization of which they were members?

(The witness conferred with his counsel.)

Mr. SPENCER. Not to my knowledge, sir.

Mr. ARENS. Were you instrumental in the employment of any of the three?

Mr. SPENCER. In no way.

Mr. ARENS. Was your employment in the Wage Stabilization Board procured or facilitated for you by any person known by you to have been a member of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. SPENCER. Not to my knowledge in any way.

Mr. ARENS. Was your employment with the National War Labor Board procured or facilitated for you by any person known by you to have been a member of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. SPENCER. Because of testimony previously given I decline to answer that question on the grounds of my rights under the fifth amendment.

Mr. ARENS. Was that previously given testimony to which you allude true or was it false?

(The witness conferred with his counsel.)

Mr. SPENCER. Same answer, sir.

Mr. ARENS. Have you ever resigned from the Communist Party?

Mr. SPENCER. The same answer.

Mr. ARENS. Have you ever been ejected from the Communist Party?

Mr. SPENCER. The same answer, sir.

Mr. ARENS. Are you presently under Communist discipline?

(The witness conferred with his counsel.)

Mr. SPENCER. The same answer, sir.

Mr. ARENS. A while ago we enumerated a list of individuals with reference to each of whom you invoked your privilege under the fifth amendment not to give information which could be used against you in a criminal proceeding. That is correct; is it not? That transpired on the record?

(The witness conferred with his counsel.)

Mr. ARENS. Reno, Porter, Kurasch, Scheunemann, Matchett.

Mr. SPENCER. I am not sure, sir, of your question.

Mr. ARENS. We will start over again. I put it to you as a fact, and ask you to affirm or deny the fact that while you were with the National War Labor Board in Denver you were a member of a cell consisting of approximately two dozen people who were known by you to be members of the Communist conspiracy.

Mr. SPENCER. I decline, sir, for reasons previously given, to answer.

Mr. ARENS. We have no further questions at this time, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. VELDE. I have just 1 or 2 questions, Mr. Chairman.

When was it that you were with the National Youth Administration?

(The witness conferred with his counsel.)

Mr. SPENCER. 1940 to early 1942.

Mr. VELDE. Where were you employed?

Mr. SPENCER. Here in Denver, sir.

Mr. VELDE. What were your duties?

(The witness conferred with his counsel.)

Mr. SPENCER. As director of youth personnel, I had supervision of the living conditions and working conditions of young people trying to get training so that they would be eligible for employment.

Mr. VELDE. In the course of the performance of your duties, did you ever teach any subject matter to the youth under your jurisdiction?

(The witness conferred with his counsel.)

Mr. SPENCER. Did I do any teaching, sir? Was that your question?

Mr. VELDE. Yes.

Mr. SPENCER. No, sir.

Mr. VELDE. In the course of your conversations with the youth under your direction, did you ever talk to them about any policy or form of government other than the American form of government?

Mr. SPENCER. Only their immediate conditions of employment and their immediate living conditions, sir.

Mr. VELDE. At that time were you a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. SPENCER. I decline to answer, sir, under the reasons previously given.

Mr. VELDE. That is all.

The CHAIRMAN. There are no further questions, and the witness is excused from further attendance.

Call your next witness, Mr. Arens.

Mr. ARENS. Mr. Donald Plumb, if you please, sir.

Mr. HORNBEIN. Mr. Chairman, we would like to invoke the protection of rule 13 (b) of the committee's rules with reference to the television camera present.

Mr. ARENS. Please remain standing.

Mr. HORNBEIN. Just a moment. We would like the chairman to—

The CHAIRMAN. I have already said that the rule will be observed.

Mr. HORNBEIN. That means that there will be no television film run.

Mr. ARENS. Please remain standing, Mr. Plumb, while the chairman administers an oath to you.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. PLUMB. I do.

**TESTIMONY OF DR. DONALD D. PLUMB; ACCOMPANIED BY
COUNSEL, PHILIP HORNBEIN**

The CHAIRMAN. Sit down, Mr. Plumb.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Dr. PLUMB. My name is Donald D. Plumb. I live at 4301 Wadsworth, Wheat Ridge, Colo. I am a physician.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Dr. PLUMB. Yes, sir.

Mr. ARENS. Are you represented by counsel?

Dr. PLUMB. Yes, sir.

Mr. ARENS. Will counsel kindly identify himself.

Mr. HORNBEIN. Yes. Philip Hornbein, Jr., 620 Symes Building, Denver.

Mr. ARENS. Kindly give us a brief sketch of your background, Doctor. Where and when were you born?

Dr. PLUMB. I was born in Yankton, S. Dak., December 26, 1916.

Mr. ARENS. And your education, please, sir.

Dr. PLUMB. My grade school and high school I attended in Montana. Do you want my higher education?

Mr. ARENS. If you please, sir.

Dr. PLUMB. I attended the University of Montana and graduated with a bachelor of science degree in pharmacy in 1939.

Mr. ARENS. Continue, please.

Dr. PLUMB. I attended the University of Colorado.

Mr. ARENS. Would you kindly raise your voice a little. I am afraid the committee may have difficulty hearing you.

Dr. PLUMB. I attended the University of Colorado School of Medicine from 1944 until 1949.

Mr. ARENS. Did that complete your formal education?

Dr. PLUMB. I took my internship in Boston, Mass.

Mr. ARENS. When did you complete your internship in Boston?

Dr. PLUMB. July of 1950.

Mr. ARENS. Pick up there if you please, sir, and give us a brief chronological account of the employments which you have had since you completed internship at Boston.

Dr. PLUMB. I have been employed as a private physician in the general practice of medicine since 1950.

Mr. ARENS. Were you at any time employed by the National War Labor Board?

Dr. PLUMB. I was not.

Mr. ARENS. The National Labor Relations Board?

Dr. PLUMB. I was not.

Mr. ARENS. Have you ever been employed by the Federal Government?

Dr. PLUMB. I have.

Mr. ARENS. In what capacity?

Dr. PLUMB. As an intern in the United States Public Health Service in 1949 and 1950.

Mr. ARENS. Was that the employment in Boston you mentioned a moment ago?

Dr. PLUMB. Yes, sir.

Mr. ARENS. Were you ever employed by the Federal Security Agency?

Dr. PLUMB. Public Health Service is a subdivision of the Federal Security Agency.

Mr. ARENS. Did you ever engage in employment under the National Institute of Health in Denver?

Dr. PLUMB. Yes, I did, sir.

Mr. ARENS. Is that under the Federal Security Agency?

Dr. PLUMB. I am not sure.

Mr. ARENS. It was then; was it not?

Dr. PLUMB. I am not sure.

Mr. ARENS. Doctor, are you a Communist?

Dr. PLUMB. I am not.

Mr. ARENS. Have you ever been a Communist?

Dr. PLUMB. I never have been.

Mr. ARENS. Are you aware of the testimony of Herbert Fuchs?

Dr. PLUMB. I have read some of the testimony of Herbert Fuchs.

Mr. ARENS. Have you read the testimony of Herbert Fuchs in Chicago on December 13, 1955, in which Fuchs identified you as a person known by him to have been a member of the Communist Party?

Dr. PLUMB. I am aware of that testimony.

Mr. ARENS. Was he telling the truth or was he in error?

Dr. PLUMB. I believe he was in error.

Mr. ARENS. Have you ever been in any sessions or meetings in which Herbert Fuchs was a member?

Dr. PLUMB. I have not.

Mr. ARENS. Did you know Herbert Fuchs?

Dr. PLUMB. I did know him.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. FRAZIER. Speak a little louder. We can't hear you up here.

Dr. PLUMB. Counsel is pushing me, sir.

(The witness conferred with his counsel.)

The CHAIRMAN. There is no hurry at all. Take your time.

Dr. PLUMB. Would you repeat your question?

Mr. ARENS. What was the nature of your acquaintanceship with Herbert Fuchs?

Dr. PLUMB. I visited with Mr. Fuchs on several social occasions.

Mr. ARENS. When.

Dr. PLUMB. In the spring of 1945, I believe.

Mr. ARENS. Where?

Dr. PLUMB. At his home.

Mr. ARENS. What was the nature of the visits?

Dr. PLUMB. We were invited there for dinner.

Mr. ARENS. How did you make acquaintanceship with Mr. Fuchs?

Dr. PLUMB. I do not know.

Mr. ARENS. Did you meet him in the course of your employment?

Dr. PLUMB. I was a medical student as of that time, so I did not meet him in the course of my employment.

Mr. ARENS. Do you have any recollection as to where you may have met him?

Dr. PLUMB. I do not.

Mr. ARENS. How long did you know him?

Dr. PLUMB. I don't recall when he left Denver.

Mr. ARENS. When did you first meet him?

Dr. PLUMB. I do not know.

Mr. ARENS. Was it some time between 1943 and 1945?

Dr. PLUMB. It was not.

Mr. ARENS. Was it later than 1945?

Dr. PLUMB. The date I object to is 1943.

Mr. ARENS. I beg your pardon.

Dr. PLUMB. The date, 1943, is the date that I object to. We came to Denver from Seattle, Wash., in August of 1943. I do not have any recollection of meeting Mr. Fuchs in 1943 or, for that matter, in 1944.

Mr. ARENS. Did you meet him in 1945?

Dr. PLUMB. I presume that I did.

Mr. ARENS. How long did you know him?

Dr. PLUMB. I would say that I knew him for about 6 or 7 months.

Mr. ARENS. Did you know him well enough to call him by his first name?

Dr. PLUMB. I am not sure.

Mr. ARENS. Did he call you by your first name?

Dr. PLUMB. I do not know.

Mr. ARENS. Did you know Dwight Spencer?

Dr. PLUMB. I did.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. My acquaintanceship with Mr. Spencer in 1943 and 1944 and 1945 was very vague, so I cannot answer the nature of my acquaintanceship with Mr. Spencer.

Mr. ARENS. Have you ever been in his home?

Dr. PLUMB. I have.

Mr. ARENS. Has he ever been in your home?

Dr. PLUMB. I do not recall him ever being in my home.

Mr. ARENS. What occasioned your presence in his home?

Dr. PLUMB. I think my wife and I were invited.

Mr. ARENS. Was it an invitation for a social gathering, a dinner or what was the nature of the get-together?

Dr. PLUMB. I do not recall.

Mr. ARENS. Did you have dinner at his home?

Dr. PLUMB. I do not recall ever eating dinner at his home.

Mr. ARENS. There is nothing wrong with your recollection, your memory, is there? It has been only 10 years ago. How long did you know Mr. Spencer?

Dr. PLUMB. I have known Mr. Spencer—I would say I was acquainted with Mr. Spencer in 1944 and became better acquainted with him in 1948-49, and then better acquainted since I returned to Denver in 1950.

Mr. ARENS. How did you make his acquaintanceship?

Dr. PLUMB. I do not recall.

Mr. ARENS. Did you know a Dr. Ralph Price?

Dr. PLUMB. I did not know Ralph Price as a doctor.

Mr. ARENS. Did you know Ralph Price?

Dr. PLUMB. I have been acquainted with Ralph Price.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. I met him as a fellow employee of my wife in the War Labor Board.

Mr. ARENS. I inform you now that Dr. Ralph Price has sworn before this committee that he likewise knew you as a member of the Communist Party. Was he in error or was he telling the truth?

Dr. PLUMB. I believe he was in error.

Mr. ARENS. Have you ever been in any meetings with Dr. Price or Ralph Price?

Dr. PLUMB. No.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. I believe that they were entirely social gatherings, sir.

Mr. ARENS. Where were these social gatherings?

Dr. PLUMB. I do not know.

Mr. ARENS. Did you know or have you known a person by the name of Glenn Earl?

Dr. PLUMB. I have known Glenn Earl.

Mr. ARENS. Did you know a person by the name of Mary Spencer?

Dr. PLUMB. I certainly do.

Mr. ARENS. She is the wife of Dwight Spencer, is she not?

Dr. PLUMB. She is.

Mr. ARENS. Did you know or have you known a person by the name of Margaret Hagler, H-a-g-l-e-r?

Dr. PLUMB. I do not recall a person by the name of Margaret Hagler.

Mr. ARENS. Did you know or have you known a person by the name of Don Valdez?

Dr. PLUMB. I do not know a person by the name of Don Valdez.

Mr. ARENS. Did you know or have you known a person by the name of Philip Reno?

Dr. PLUMB. I have an acquaintanceship with Philip Reno.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. In 1944, during the political campaign, I did some precinct work, and I had occasion to be a watcher. I had some difficulty as a watcher with one of the recorders. I called the headquarters and the person they sent out to help that situation was Mr. Reno.

The CHAIRMAN. What headquarters was that?

Dr. PLUMB. That, sir, was the Democratic County headquarters in Denver.

Mr. ARENS. Did you know John W. Porter?

Dr. PLUMB. I have never met John W. Porter.

Mr. ARENS. Did you know Martin Kurasch?

Dr. PLUMB. I knew Martin Kurasch.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. I had brief social contacts with Martin Kurasch.

Mr. ARENS. What do you mean by brief social contact, Doctor?

Dr. PLUMB. That is precisely what I mean.

Mr. ARENS. Were you in his house?

Dr. PLUMB. Yes, sir.

Mr. ARENS. How many times were you in the home of Martin Kurasch?

Dr. PLUMB. I cannot answer that question.

Mr. ARENS. Were you in his home as many as a dozen times?

Dr. PLUMB. I think not.

Mr. ARENS. Over what period of time did you know Martin Kurasch?

Dr. PLUMB. I do not know over what period of time I knew Martin Kurasch, but I would presume it was in 1944 and 1945.

Mr. ARENS. Do you know that he has been identified as a member of the Communist conspiracy?

(The witness conferred with his counsel.)

Dr. PLUMB. I do not.

Mr. ARENS. You knew Glenn Earl?

Dr. PLUMB. I did.

Mr. ARENS. Did you know that he has been identified as a member of the Communist Party?

Dr. PLUMB. I do not.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. I became acquainted with him in 1944 during the political campaign. He was an individual who instructed me in doing block precinct work.

Mr. ARENS. Did you know Margaret Matchett?

Dr. PLUMB. I did not—I met Margaret Matchett.

Mr. ARENS. Did you know Gerald J. Matchett?

Dr. PLUMB. Relative to what time, sir?

Mr. ARENS. When you were here in the Denver area in this period of employment—

Dr. PLUMB. Are you referring to 1943, 1944, 1945?

Mr. ARENS. Did you know him at any time?

Dr. PLUMB. Yes.

Mr. ARENS. When did you know him?

Dr. PLUMB. I have met Mr. Matchett I think in 1948 and I saw him again in 1950.

Mr. ARENS. What was the occasion for your seeing him?

Dr. PLUMB. I believe it was a chance social contact.

Mr. ARENS. I understood you to say a while ago that on a couple of occasions you have been engaged in some kind of political activity here?

Dr. PLUMB. That is true, sir.

Mr. ARENS. Were you ever engaged in any political activity in which Matchett and Reno were coworkers with you?

Dr. PLUMB. I would like to answer those questions separately, sir.

Mr. ARENS. All right, sir.

Dr. PLUMB. As I say, I became acquainted with Mr. Reno in 1944 when I was working for the Democratic Party as a precinct worker, and that is the occasion that I had political contact with Mr. Reno.

With regard to Mr. Matchett, the answer is "No."

Mr. ARENS. Did you know a person by the name of Raymond LaVallee?

Dr. PLUMB. I have never met Raymond LaVallee.

Mr. ARENS. Did you know a person by the name of Robert C. Williams?

Dr. PLUMB. I knew Robert C. Williams.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Dr. PLUMB. I chanced to meet him on social occasions.

Mr. ARENS. How were you introduced to him? Do you have a recollection of that?

Dr. PLUMB. No, sir; I do not.

Mr. ARENS. Do you have a recollection of who might have introduced you to any of the individuals just mentioned, all of whom have been identified as members of the Communist conspiracy?

(The witness conferred with his counsel.)

Dr. PLUMB. I do not have any recollection, sir.

Mr. ARENS. Have you ever been solicited for membership in the Communist Party?

Dr. PLUMB. I never have been, sir.

Mr. ARENS. Have any of these individuals whose names we have been discussing here, such as Reno and Williams and Matchett, ever been known by you to have been members of the Communist Party?

Dr. PLUMB. No.

Mr. ARENS. Did you ever engage with them in any study groups?

Dr. PLUMB. No.

Mr. ARENS. Any discussion groups of communism?

Dr. PLUMB. No.

Mr. ARENS. Did Price have any hatred toward you that you ever knew of?

Dr. PLUMB. Not that I am aware of, sir.

Mr. ARENS. Did Fuchs ever have any hatred toward you that you knew about?

Dr. PLUMB. Not that I am aware of.

Mr. ARENS. Doctor, both of these men have testified under oath before this committee enumerating people known by them to have been members of the Communist cells in the Denver area. Both of these men enumerated you as a member of those cells. Can you in any way account for that testimony?

Dr. PLUMB. I cannot account for that testimony, sir.

Dr. ARENS. Have you ever been in any meetings with either of those men?

Dr. PLUMB. No.

Mr. ARENS. In the course of your associations with this group who have been identified under oath as members of the Communist Party, did any question come to your mind as to whether or not they might be engaged in some conspiratorial work?

Dr. PLUMB. No, sir.

Mr. ARENS. Did you at any time feel that you were being used by members of the Communist Party?

Dr. PLUMB. No, sir.

Mr. ARENS. Or by people with ulterior motives?

Dr. PLUMB. No, sir.

Mr. ARENS. Did you ever have any doubt in your own mind as to the loyalty of these persons we have been discussing, and who have been identified as members of the Communist Party?

Dr. PLUMB. No, sir.

Mr. ARENS. Did they ever give any evidence to you of activity which caused you to doubt their sincerity or loyalty?

Dr. PLUMB. No, sir.

Mr. ARENS. Did you ever attend what might be called meetings with any of them, as distinct from just a social get-together?

(The witness conferred with his counsel.)

Mr. HORNBEIN. Mr. Counsel, will you break that question down as to the particular individual and ask him with reference to each individual separately?

Mr. ARENS. Do you recall any meetings with reference to any of them?

Dr. PLUMB. Would you kindly, sir, ask me specifically?

Mr. ARENS. Do you recall during your employment here in the Denver area by the Federal Government attending what might be regarded as meetings as distinct from social gatherings?

(The witness conferred with his counsel.)

Dr. PLUMB. I again ask you kindly, sir, to name—

Mr. ARENS. Did you ever have any meetings or participate in any meetings with Philip Reno?

Dr. PLUMB. No, sir.

Mr. ARENS. Did you ever attend or participate in any meetings with Ralph Price?

Dr. PLUMB. No, sir.

Mr. ARENS. Were there any meetings of any character or description which come to your mind where you were in attendance with any of these persons we have been discussing?

Dr. PLUMB. Just name the people, and I will answer your questions.

Mr. ARENS. Have you ever been in attendance at any meetings with Herbert Fuchs?

Dr. PLUMB. No, sir.

Mr. ARENS. Do you recall any meetings at all that you attended?

Mr. HORNBEIN. During what period of time, please?

Mr. ARENS. During the period of time that you were in Denver around 1945.

Mr. HORNBEIN. Up to date?

Mr. ARENS. 1944 to 1945. That is the period we are talking about.

Dr. PLUMB. I recall that I attended instructional meetings for block workers in the Democratic Party.

Mr. ARENS. Where were those meetings held?

Dr. PLUMB. I cannot say where they were held.

Mr. ARENS. How many meetings did you attend?

Dr. PLUMB. About—I cannot say. Very few.

Mr. ARENS. Did you attend as many as a half dozen?

Dr. PLUMB. Very few, sir.

Mr. ARENS. Did you attend as many as three?

Dr. PLUMB. Two or three, I would say.

Mr. ARENS. Who gave you your instructions?

Dr. PLUMB. The only person I can recall giving me instructions was Glenn Earl.

Mr. ARENS. Did you, at that time, know he was a member of the Communist Party?

Dr. PLUMB. I certainly did not.

Mr. ARENS. Did you ever receive any instructions from Glenn Earl in Marxism or in communism?

Dr. PLUMB. I did not.

Mr. ARENS. Do any sessions come to your mind now, Doctor, in which any of these individuals we have been discussing deliberated with you on communism or on Marxism?

Dr. PLUMB. No, sir.

Mr. ARENS. I take it you deny categorically that you are now or have ever been a member of the Communist Party?

Dr. PLUMB. I do.

Mr. ARENS. No further questions.

The CHAIRMAN. Mr. Frazier?

Mr. FRAZIER. No questions.

The CHAIRMAN. Mr. Velde?

Mr. VELDE. No questions.

The CHAIRMAN. There are no further questions, and you are excused.

The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:05 p. m., the committee was recessed, to reconvene at 2 p. m. the same day.)

AFTERNOON SESSION, TUESDAY, MAY 15, 1956

Committee members present: Representatives Walter (chairman), and Frazier.

The CHAIRMAN. The committee will be in order.

Call your next witness.

Mr. ARENS. If you please, will Arlyne Plumb kindly come forward. Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Raise your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PLUMB. I do.

The CHAIRMAN. Be seated, please.

TESTIMONY OF ARLYNE M. PLUMB (MRS. DONALD D. PLUMB); ACCOMPANIED BY COUNSEL, PHILIP HORNBEIN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. PLUMB. My name is Arlyne Plumb. I live in Wheat Ridge, Colo., and I am a housewife.

Mr. ARENS. Are you appearing today, Mrs. Plumb, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mrs. PLUMB. That is right.

Mr. ARENS. Are you represented by counsel?

Mrs. PLUMB. Yes.

Mr. ARENS. Will counsel kindly identify himself for the record.

Mr. HORNBEIN. Philip Hornbein, Jr., 620 Symes Building, Denver, Colo.

Mr. ARENS. Mrs. Plumb, would you kindly give us a brief résumé of your background, where you were born and a word about your early education?

Mrs. PLUMB. I was born on a farm in Montana in 1918. I attended grammar and high school in Montana. I attended Northern Montana College for 2 years, Montana State College for 1 semester, and then

transferred to the University of Montana where I graduated in 1939 with an AB degree. Since that time I have had 1 semester of graduate work and an occasional extension course.

Mr. ARENS. Would you kindly give us a comparable résumé of the employment you have had since terminating your formal education?

Mrs. PLUMB. Since terminating my formal education my first position was with the National Youth Administration:

Mr. ARENS. Where, please?

Mrs. PLUMB. In Montana.

Mr. ARENS. When?

Mrs. PLUMB. That was from approximately the fall of 1940 through some time in the summer of 1941.

Mr. ARENS. In what capacity did you serve in the NYA?

Mrs. PLUMB. I think my title was youth personnel supervisor, something of that sort.

Mr. ARENS. Did you know Dwight Spencer in the course of your employment with the National Youth Administration?

Mrs. PLUMB. No, not at that time.

Mr. ARENS. Would you kindly give us the next employment?

Mrs. PLUMB. The next employment was with the State board of health in Montana. I think there was perhaps a lapse of about a month between my NYA employment and the State board of health employment. I think I worked there until some time that fall, when I was employed by the State civilian defense commission.

Mr. ARENS. In Montana?

Mrs. PLUMB. In Montana.

Mr. ARENS. Let us date this, please. Was the State board of health employment terminated in 1942?

Mrs. PLUMB. Let's see. Where were we? I was with NYA from when?

Mr. ARENS. 1940 and 1941.

Mrs. PLUMB. 1940 to 1941.

Mr. ARENS. That is what you told us.

Mrs. PLUMB. I went from there directly to the board of health for probably a 4- or 5-month period. From there to the State civilian defense commission. I presume that was the same fall.

Mr. ARENS. Kindly give us your next employment.

Mrs. PLUMB. Some time shortly after the war the State civilian defense commission was given the responsibility for setting up the ration boards and the original controls under OPA. I was transferred from the State payroll to the Federal payroll at some point and continued—

Mr. ARENS. Was that with the OPA?

Mrs. PLUMB. Yes.

The State agency assumed that Federal obligation, and it was a paper shift.

Mr. ARENS. What was your next employment, please?

Mrs. PLUMB. I continued with OPA in Montana until some time the following summer, I would presume July or August, at which time I moved to Seattle, Wash., and was employed there by the Office of Price Administration. I worked there—

Mr. ARENS. That brings us into 1943, does it not?

Mrs. PLUMB. Yes, that is right. I worked with OPA in Seattle until coming to Denver in the fall of 1943.

Mr. ARENS. What was your employment in Denver in the fall of 1943?

Mrs. PLUMB. I transferred from the OPA in Seattle to the War Labor Board in Denver by direct transfer, some time in the fall of 1943.

Mr. ARENS. How long were you with the National War Labor Board in Denver?

Mrs. PLUMB. Until December of 1945.

Mr. ARENS. Continue, please.

Mrs. PLUMB. In January of 1944 I went to work for the National Farmers Union in Denver and worked there until June of 1949.

(The witness conferred with her counsel.)

Mrs. PLUMB. Yes, January 1946.

Mr. ARENS. Then, it was in 1946 you began working with the National Farmers Union and worked until 1949, is that correct?

Mrs. PLUMB. That is correct.

Mr. ARENS. Your next employment, please.

Mrs. PLUMB. Since that time I have been a housewife taking care of my four little kids.

Mr. ARENS. Are you the wife of Dr. Donald Plumb, who preceded you on the stand?

Mrs. PLUMB. That is correct.

Mr. ARENS. Mrs. Plumb, have you ever been a member of the Communist Party?

Mrs. PLUMB. I have not.

Mr. ARENS. Have you ever been under conscious Communist Party discipline?

Mrs. PLUMB. I have not.

Mr. ARENS. Tell us whether or not you discussed your proposed appearance here today with any person known by you at any time to have been a member of the Communist Party?

Mrs. PLUMB. I have not.

Mr. ARENS. During the course of your employment with the War Labor Board in Denver did you know a person by the name of Dwight Spencer?

Mrs. PLUMB. I did.

Mr. ARENS. Is that the gentleman who preceded your husband to the witness stand?

Mrs. PLUMB. That is correct.

Mr. ARENS. Did you know Dwight Spencer as a Communist?

Mrs. PLUMB. I did not.

Mr. ARENS. What was the nature of your acquaintanceship with Dwight Spencer?

Mrs. PLUMB. Mr. Spencer was an employee at the War Labor Board during the period that I was employed at the War Labor Board.

Mr. ARENS. Did you and your husband have any acquaintanceship with Mr. Spencer other than the acquaintanceship at the War Labor Board?

Mrs. PLUMB. It would have been directly related to that employment in the sense that there were frequent social gatherings of all the employees of the War Labor Board, at which we would attend.

Mr. ARENS. Were there gatherings other than strictly social gatherings in which you and your husband and Mr. Spencer participated?

Mrs. PLUMB. No.

Mr. ARENS. Any meeting, group meetings of any kind, character or description, other than social gatherings?

Mrs. PLUMB. Not that I can possibly recall or think of in this context.

Mr. ARENS. Mrs. Plumb, did you know Herbert Fuchs?

Mrs. PLUMB. Mr. Fuchs was an employee of the War Labor Board when I was employed at the War Labor Board.

Mr. ARENS. Did you ever attend any meetings or any social gatherings with Mr. Fuchs?

Mrs. PLUMB. I certainly never attended any meeting of any sort with Mr. Fuchs. Again I am sure Mr. Fuchs was present at social gatherings of War Labor Board employees.

Mr. ARENS. Mr. Fuchs has testified under oath in public session before this committee that both you and your husband were, to his knowledge, members of the Communist Party. Was he in error or was he telling the truth?

Mrs. PLUMB. Mr. Fuchs was certainly in error.

Mr. ARENS. Dr. Ralph Price testified likewise before this committee under oath that both you and your husband were, to his knowledge, members of the Communist Party. Was that accurate and truthful?

Mrs. PLUMB. It certainly is not accurate.

Mr. ARENS. In your own way, give us whatever explanation that might come to your mind for these two men asserting under oath that they knew both you and your husband as members of the Communist Party.

Mrs. PLUMB. I can't conceive why they would have done that. Can you help me out?

The CHAIRMAN. Do you know the Dr. Price just mentioned?

Mrs. PLUMB. Dr. Price was a fellow employee at the War Labor Board, yes.

Mr. ARENS. Did you know Philip Reno?

Mrs. PLUMB. I met Philip Reno when he was a candidate in 1944 for election. I never knew Philip Reno at the War Labor Board.

Mr. ARENS. Was he a candidate on the Progressive ticket?

Mrs. PLUMB. No, on the Democratic ticket.

Mr. ARENS. Was he running for Congress?

Mrs. PLUMB. He was running I think for the State legislature.

Mr. ARENS. Is that the only basis upon which you knew him?

Mrs. PLUMB. That was my first acquaintance with him.

Mr. ARENS. What other acquaintanceship did you have with him?

Mrs. PLUMB. Subsequently I have known him in other organizations in which he was active.

Mr. ARENS. What other organizations?

Mrs. PLUMB. We worked together at the National Farmers Union for a period.

Mr. ARENS. Any other organizations?

Mrs. PLUMB. There was an organization called—I am not sure of the title, but it was either the Social Action Council or the Rocky Mountain Council for Social Action, something of that sort, which was active in the mayoralty campaign in—

Mr. HORNBEIN. 1947.

Mrs. PLUMB. In 1947, in which Mr. Reno was active in helping to direct campaign activities.

Mr. ARENS. Did you know Philip Reno was a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Did you know he has been identified publicly by 2 or 3 persons as a member of the Communist Party and this morning hid behind the fifth amendment when we asked him about Communist Party affiliation?

Mrs. PLUMB. I heard this morning's testimony.

Mr. ARENS. Were you surprised that he was identified as a Communist and declined to tell this committee any facts respecting the matter?

Mr. HORNBEIN. We object respectfully to that question.

Mr. ARENS. Counsel might just as well learn now that counsel's sole function in this proceeding is to advise his client as to her constitutional rights.

Mr. HORNBEIN. I understand that. I am advising my witness to object to that question.

Mrs. PLUMB. On advice of counsel I object to that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed an answer the question.

The CHAIRMAN. You are directed to answer the question.

Mr. HORNBEIN. If they will tell you what the purpose is of probing your mind, of trying to find out whether you were surprised. Tell them that you will answer the question if they will explain to you the pertinence of the inquiry.

The CHAIRMAN. Will you answer the question?

(The witness conferred with her counsel.)

Mrs. PLUMB. On advice of counsel I refuse to answer.

Mr. ARENS. Did you know John W. Porter during the course of your employment with the National War Labor Board in Denver?

Mrs. PLUMB. I recall Mr. Porter very vaguely as an employee at the War Labor Board during the brief period that I was at the War Labor Board.

Mr. ARENS. Did you know that he was a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Do you know that he has been identified as a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Did you know Margaret Bennett Porter?

Mrs. PLUMB. I may have met her at one time.

Mr. ARENS. Could you help us as to why you seem a little vague about it?

Mr. PLUMB. I have no clear recollection. I don't think I would know her if I saw her again. I think it is more than likely that I met her as I said at one of the War Labor Board parties.

Mr. ARENS. Can you give us a little more description of these parties?

Mrs. PLUMB. Yes. In the interest of employee morale I think it was the standard practice of both chairmen that I served under at the War Labor Board to have an officewide party about, oh, twice a year, to which all employees and their husbands and wives were invited, for which we would rent a country club or a large building. It would involve some 200 or 300 people. I remember that we had prepared skits and entertainment. All of the industry, labor, and public men-

bers were invited. It was simply a morale-building, get-acquainted, office party of the kind that occurs at Christmastime.

Mr. ARENS. Did you know Martin Kurasch?

Mrs. PLUMB. I recall him as a fellow employee.

Mr. ARENS. Tell us the nature of your acquaintanceship with him?

Mrs. PLUMB. He was a fellow employee at the War Labor Board.

Mr. ARENS. Is that the only basis on which you had an acquaintanceship with him?

Mrs. PLUMB. I think that is correct.

Mr. ARENS. Did you know that Martin Kurasch was a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Did you know he has been identified under oath by witnesses before this committee as a Communist?

Mrs. PLUMB. I heard you say so this morning.

Mr. ARENS. Did you know his wife, Lillian Kurasch?

Mrs. PLUMB. I remember his wife.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Mrs. PLUMB. As the wife of a fellow employee at the War Labor Board.

Mr. ARENS. Have you been in any sessions or meetings with her other than social gatherings?

Mrs. PLUMB. I am not clear in my recollection of this, but I think it is quite possible that an organization in which I was very active during the war period, which included several wives of War Labor Board employees, could very well have included Lillian Kurasch.

Mr. ARENS. What was the name of the organization?

Mrs. PLUMB. It was the League of Women Shoppers.

Mr. ARENS. Did you hold an office or post in the League of Women Shoppers?

Mrs. PLUMB. I could not give a clear recollection, but I think it more than likely that I did.

Mr. ARENS. Do you recall who was the driving force or the head of the League of Women Shoppers?

Mrs. PLUMB. I think that there were a variety of officers. I couldn't be specific as to who was an officer at any given time.

Mr. ARENS. Did you know Edward and Cecelia Scheunemann?

Mrs. PLUMB. I know Edward and Cecelia Scheunemann.

Mr. ARENS. How long have you known them?

Mrs. PLUMB. I knew Cecelia Scheunemann as a fellow employee at the War Labor Board. Edward Scheunemann, I may have met at that time. I came to know him much better later as State president of the Young Democrats when I served on the executive committee of the Young Democrats.

Mr. ARENS. When was your last acquaintanceship with Edward Scheunemann?

Mrs. PLUMB. The acquaintanceship is a continuing one.

Mr. ARENS. You know him at the present date?

Mrs. PLUMB. That is correct.

Mr. ARENS. Are you in any activities in concert with Edward Scheunemann?

Mrs. PLUMB. He is a Democratic committeeman and I am a Democratic committeewoman. We serve on the county central committee.

Mr. ARENS. Did you know Gerald J. Matchett?

Mrs. PLUMB. I recall him very vaguely during the War Labor Board period. I have since met him when he has been in Colorado on vacations.

Mr. ARENS. When did you last have a meeting with him?

Mrs. PLUMB. I can't be specific on that. When he last came to Colorado.

Mr. ARENS. Within the last year?

Mrs. PLUMB. I think not. I think it was probably some 3 or 4 years ago.

Mr. ARENS. Did you know that he was a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Do you know that he has been identified, under oath, in public testimony by witnesses as a member of the Communist Party?

Mrs. PLUMB. I heard your testimony this morning.

Mr. ARENS. Did you know it from any source other than what transpired here this morning?

Mrs. PLUMB. No.

Mr. ARENS. Did you know Matchett's wife, Margaret Matchett?

Mrs. PLUMB. I have met his wife.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Mrs. PLUMB. Again I have met her in recent years when they have been here on their vacations.

Mr. ARENS. Were they guests in your home?

Mrs. PLUMB. No.

Mr. ARENS. Where did you meet them?

Mrs. PLUMB. I can't be specific on that, but I think what probably happened is that they were coming through town and someone had a social occasion to which we were invited.

Mr. ARENS. Do you know Raymond LaVallee?

Mrs. PLUMB. I recall Raymond LaVallee very vaguely.

Mr. ARENS. Do you have a recollection as to the nature of your acquaintanceship with him?

Mrs. PLUMB. He was a fellow employee during a very small part of the time that I was employed at the War Labor Board. I think shortly after he came he was called into the service.

Mr. ARENS. Did you know he has been identified as a member of the Communist Party and when interrogated by this committee respecting such membership hid behind the fifth amendment?

Mrs. PLUMB. I so heard this morning.

Mr. ARENS. Did you know Dwight Spencer?

Mrs. PLUMB. That is right.

Mr. ARENS. Did you know him other than as a fellow employee?

Mrs. PLUMB. What do you mean by that?

Mr. ARENS. Did you know him in any capacity other than that of a fellow employee?

Mrs. PLUMB. Dwight Spencer has been a personal friend of mine.

Mr. ARENS. For how long?

Mrs. PLUMB. Well, I would say particularly in the last 3 or 4 years.

Mr. ARENS. When was the last time you saw him or had an active acquaintanceship with him?

Mrs. PLUMB. It is current.

Mr. ARENS. Dwight Spencer was instrumental in causing you to be promoted in 1945 when you were with the War Labor Board? Is that not correct?

Mrs. PLUMB. I am not at all sure that that is correct. We had a list on which vacancies were posted. Those interested applied. There was a very active personnel office at the Board who evaluated the applications in terms of qualifications.

Mr. ARENS. Did Dwight Spencer recommend you for an advancement or promotion?

Mrs. PLUMB. I couldn't testify to that.

Mr. ARENS. I lay before you now a photostatic copy of an interoffice memorandum dated September 28, 1945, and ask if that refreshes your recollection as to any incident which may have transpired in connection with your promotion at the instigation or solicitation of Spencer.

Mrs. PLUMB. No; I have never seen it before.

Mr. ARENS. I asked you if that memorandum prompts your recollection in any manner.

Mrs. PLUMB. I have never seen this before.

Mr. ARENS. I did not ask you whether or not you have seen that particular document. I asked you whether or not that document prompts your recollection, stimulates your memory with reference to any incidents which may have transpired about that time.

Mrs. PLUMB. I would presume that the Personnel Division would probably solicit comments from your immediate supervisors who are the people in a position to know about your qualifications, whether or not you were qualified.

Mr. ARENS. This document purports to be a memorandum in which Dwight Spencer, Director of the Disputes Division, in the NWLB, is requesting a promotion of yourself. Does it not?

Mrs. PLUMB. That is what it says.

Mr. ARENS. Were you at that time, in September of 1945 in the process of being promoted within the National War Labor Board in Denver?

Mrs. PLUMB. I would have no recollection of it myself. That so indicates.

Mr. ARENS. Did you occupy more than one post within the War Labor Board in Denver in the year 1945?

Mrs. PLUMB. I recall that I came to the War Labor Board as wage analyst in the Wage Stabilization Division, and that my final employment was in the Disputes Division.

Mr. ARENS. Was Dwight Spencer a superior of yours within the War Labor Board?

Mrs. PLUMB. Yes.

Mr. ARENS. Do you recall having any conversation with him respecting an advancement or promotion of yourself?

Mrs. PLUMB. I don't recall.

Mr. ARENS. Did you know or have you known a person by the name of Glenn Earl?

Mrs. PLUMB. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mrs. PLUMB. He was a fellow employee at the War Labor Board.

Mr. ARENS. Did you know that he was a Communist?

Mrs. PLUMB. No.

Mr. ARENS. Did you know a person by the name of Margaret Hagler?

Mrs. PLUMB. Yes; she was a fellow employee at the War Labor Board.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Mrs. PLUMB. I think we worked in the same division for a brief time.

Mr. ARENS. Did you at that time know that she was a member of the Communist Party?

Mrs. PLUMB. No.

(Representative Velde entered the hearing room.)

Mr. ARENS. Did you know a person by the name of Don Valdez?

Mrs. PLUMB. Yes; I think there was a person by that name at the War Labor Board briefly.

Mr. ARENS. Did you have any acquaintanceship or activity with Don Valdez other than as a fellow employee of the War Labor Board?

Mrs. PLUMB. No.

Mr. ARENS. Did you know a person by the name of Mary McLucas?

Mrs. PLUMB. Yes.

Mr. ARENS. What was the nature of your acquaintanceship with her?

Mrs. PLUMB. She was a fellow employee at the War Labor Board.

Mr. ARENS. Did you have any other acquaintanceship or activity with her?

Mrs. PLUMB. Not that I recall.

Mr. ARENS. Did you know John McLucas, her husband?

Mrs. PLUMB. Yes.

Mr. ARENS. Same nature of acquaintanceship?

Mrs. PLUMB. No; he was not an employee of the War Labor Board. I knew him as the husband of a fellow employee.

Mr. ARENS. Eugene Clayton?

Mrs. PLUMB. I remember that we were briefly employed together at the War Labor Board, in the same division.

Mr. ARENS. Did you know him in any other capacity, in any way other than as a fellow employee?

Mrs. PLUMB. No.

Mr. ARENS. Mary Mendelowitz? M-e-n-d-e-l-o-w-i-t-z. Did you know her?

Mrs. PLUMB. I can't recollect that name. It just doesn't ring a bell.

Mr. ARENS. Did you know Robert C. Williams?

Mrs. PLUMB. Yes; I knew Mr. Williams.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mrs. PLUMB. He was a fellow employee at the War Labor Board.

Mr. ARENS. Mrs. Plumb, each and every one of these persons whose names I have just recited to you have been identified under oath before this committee by more than one person as persons known to have been members of the Communist conspiracy, and most of whom you have now said you knew in some capacity or other. Do you have any sense of indignation that these folks would be fellow employees of yours and conceal from you their Communist Party membership?

Mrs. PLUMB. I don't know that they were members. I have likewise been revealed to this committee, and I am not and never have been a Communist. So why should I accept the validity of your charge on them?

Mr. ARENS. Do you now feel any change in attitude toward these persons who have been identified as Communists?

Mrs. PLUMB. I certainly do not.

Mr. ARENS. Do you still have the same friendly regard for Mr. Spencer?

Mrs. PLUMB. I do.

Mr. ARENS. Do you still have a friendly regard for all of these persons who have been identified as Communists?

Mrs. PLUMB. Most of these people I haven't seen since War Labor Board days. Those people I have had continued associations with I have seen nothing to make me feel that these charges are accurate.

Mr. ARENS. Have you discussed your proposed appearance here today with any of these persons who have been named as members of the Communist Party, other than with your husband, of course.

Mrs. PLUMB. I have discussed it with counsel.

Mr. ARENS. No; not with your counsel. With any of the persons who have been named?

Mrs. PLUMB. Will you repeat your question?

Mr. ARENS. Have you discussed your proposed appearance here today with any of these people to whom we have just been referring, such as Dwight Spencer, Philip Reno, Porter, Kurasch, and so forth?

Mr. HORNBEIN. Read the names over.

Mrs. PLUMB. Let's have the list and I will take them one at a time.

Mr. ARENS. I will show you the list and you can look at the list and see if you have discussed your proposed appearance here today with any of the persons whose names appear on that list.

Mrs. PLUMB. I have discussed it with Ed Scheunemann.

Mr. ARENS. Pause a moment. When did you have a discussion with Ed Scheunemann about your proposed appearance here today?

Mrs. PLUMB. I discussed it with Ed Scheunemann on a very general basis on the press release that came out in the paper last December in which I was named along with Mr. Scheunemann as part of the Communist group.

Mr. ARENS. Where did that conversation take place?

Mrs. PLUMB. I presume it took place at my home or at his home.

Mr. ARENS. Did you go to his home or did he come to your home?

Mrs. PLUMB. I don't know that it is relevant. We are close personal friends. We visit back and forth.

Mr. ARENS. Do you recall whether it was in your home or in his home?

Mrs. PLUMB. No.

Mr. ARENS. Do you recall who was present besides Scheunemann when that conversation transpired?

Mrs. PLUMB. Presumably my husband was.

Mr. ARENS. Do you recall any other person who was present?

Mrs. PLUMB. I don't recall.

Mr. ARENS. Now give us the essence of the conversation.

(The witness conferred with her counsel.)

Mrs. PLUMB. We discussed in the most general terms—

(The witness conferred with her counsel.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that counsel be admonished that his function here is not to tell a witness what to say. Counsel's sole and exclusive function is to advise the witness respecting her constitutional rights.

The CHAIRMAN. I am assuming that counsel knows what his position is.

Mr. HORNBEIN. That is quite correct.

The CHAIRMAN. I think he has a copy of the rules.

Mr. HORNBEIN. Yes, I am duly aware of them.

Mr. ARENS. I respectfully submit what I overheard counsel say is clearly in violation.

Mr. HORNBEIN. If you wouldn't eavesdrop the conversation you wouldn't be so surprised.

Mr. ARENS. Will you continue with your testimony.

Mrs. PLUMB. Repeat the question, please.

Mr. ARENS. Give us the essence of the conversation which took place between you and Mr. Scheunemann.

Mrs. PLUMB. I think that it would probably be in this framework: "My Lord, how does anything this outrageous come about? What do you do about it? How do you answer it? What could be the possibility?"—

Mr. ARENS. That is exactly what your counsel said to you a few moments ago; is it not? Counsel is not running this proceeding.

Mr. HORNBEIN. Mr. Chairman, we ask that counsel be instructed to be fair with this witness.

The CHAIRMAN. Proceed with your answer, Mrs. Plumb.

Mrs. PLUMB. I came here with every intention of trying to give you facts and information, not to be badgered. I hope that you will respect my sincerity.

Mr. HORNBEIN. She is trying her best, but counsel interrupts her all the time.

Mrs. PLUMB. Am I on trial or are you here to get facts?

Mr. ARENS. Mrs. Plumb, will you kindly tell us whether or not you have discussed your proposed appearance here today with any person whose name appears on this list other than Edward Scheunemann?

Mrs. PLUMB. I am sure that I have discussed it in a very informal way with the Spencers. They are friends. It would be perfectly natural and automatic, since we are both named in the same context that we would say, "My gosh, what are we going to do about this?"

Mr. ARENS. What transpired between you and the Spencers in your conversation?

Mrs. PLUMB. What I have just told you.

Mr. ARENS. You just talked about the Scheunemanns. You didn't tell us what the Spencers said.

Mrs. PLUMB. It would be the same thing with Spencers.

Mr. ARENS. Was Spencer outraged too?

Mrs. PLUMB. I think Mr. Spencer spoke for himself.

Mr. ARENS. Was he outraged during this conversation that you had with him?

Mrs. PLUMB. Mr. Spencer doesn't outrage easily.

Mr. ARENS. Did he deny to you that he was a member or had been a member of the Communist conspiracy?

Mrs. PLUMB. He certainly did.

Mr. ARENS. You didn't hear him deny it this morning, when he was under oath, did you?

Mrs. PLUMB. Mr. Counsel—

The CHAIRMAN. Answer the question. You didn't hear him deny it this morning, did you?

Mrs. PLUMB. No, I didn't hear him deny it.

Mr. ARENS. Was there any other person whose name appears on this list who has been identified as a member of the Communist conspiracy with whom you discussed your appearance here?

Mrs. PLUMB. Let me see the list again.

(The witness examined the list.)

Mrs. PLUMB. No.

Mr. ARENS. Do you know whether or not Spencer or Scheunemann indicated to you that they wanted to vindicate their good names and appear before the committee and deny the statements made under oath by witnesses that they were members of the Communist conspiracy?

Mrs. PLUMB. No.

Mr. ARENS. Did you make any overtures to the committee to deny the allegations respecting Communist Party membership by yourself?

Mrs. PLUMB. My first contact with this committee was the subpoena served upon me.

Mr. ARENS. When was that, Mrs. Plumb?

Mrs. PLUMB. I don't have it with me. It was about 3 weeks ago.

Mr. ARENS. If you were so outraged, why did you not solicit an opportunity to deny under oath before the committee any allegations respecting yourself which were made last December?

Mrs. PLUMB. I didn't know of anything until I read the Denver Post last December.

Mr. ARENS. Has any bitterness ever developed between you and your husband and Mr. Price who identified you and your husband as persons known by him to be Communists?

Mrs. PLUMB. Not that I am aware of.

Mr. ARENS. Has any bitterness developed between you and your husband and Mr. Herbert Fuchs, who has testified under oath before this committee that he knew you as Communists?

Mrs. PLUMB. Not that I am aware of.

Mr. ARENS. Mr. Chairman, I have no further questions of this witness.

The CHAIRMAN. Any questions?

The witness is excused.

Call your next witness.

Mr. ARENS. Mr. Edward Scheunemann.

Please remain standing while the chairman administers the oath to you, Mr. Scheunemann.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHEUNEMANN. I do.

TESTIMONY OF EDWARD J. SCHEUNEMANN, ACCOMPANIED BY COUNSEL, PHILIP HORNBEIN, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SCHEUNEMANN. My name is Edward J. Scheunemann. I live at 2035 Routt, Lakewood, Colo. I am an attorney practicing law in Denver, Colo.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by this committee?

Mr. SCHEUNEMANN. I am.

Mr. ARENS. Are you represented by counsel?

Mr. SCHEUNEMANN. I am.

Mr. HORNBEIN. Philip Hornbein, Jr., 620 Symes Building, Denver, Colo.

Mr. ARENS. Mr. Scheunemann, for the purpose of further identification, are you the husband of Cecelia Scheunemann?

Mr. SCHEUNEMANN. I am.

Mr. ARENS. Could you tell us where she is at the present time?

Mr. SCHEUNEMANN. At the present time she is in Northville, Mich.

Mr. ARENS. Visiting?

Mr. SCHEUNEMANN. Yes, visiting, and I may add that this is the first time any member of this committee has asked me where she lives. If you imply by that that she is in hiding, I resent it highly.

Mr. ARENS. Mr. Scheunemann, give us, if you please, a brief sketch of your early life, where you were born, when, and a word about your education.

Mr. SCHEUNEMANN. I was born in Leadville, Colo., on May 6, 1914. I graduated from high school in Leadville, Colo. I attended the University of Colorado at Boulder, where I received my bachelor of arts degree in 1935. I was an instructor in public speaking for 1 year and then entered the law school at the University of Colorado, where I was graduated from law school in 1939.

Mr. ARENS. Give us, if you please, a brief rundown of your employment since you completed your formal education, which I take it occurred at the conclusion of your work at Colorado University.

Mr. SCHEUNEMANN. Yes; my first job directly out of law school was with the National Labor Relations Board as a review attorney beginning, I believe, in the last of August or the first of September in 1939.

Mr. ARENS. Where was that?

Mr. SCHEUNEMANN. That was in Washington, D. C. I continued with the National Labor Relations Board until approximately March or June, I think, of 1941, at which time I transferred to the United States Housing Authority in Washington, D. C. I stayed there, I believe, until February or March of 1942, at which time I took advantage of an opportunity to get back to Colorado and transferred to the OPA.

I was assigned to the Enforcement Division of OPA in Denver, Colo.

Mr. ARENS. I didn't get the date that you went with OPA.

Mr. SCHEUNEMANN. I believe it was about February or March of 1942.

Mr. ARENS. In what capacity did you serve with the OPA in Denver?

Mr. SCHEUNEMANN. As an enforcement attorney in the regional office.

Mr. ARENS. Proceed.

Mr. SCHEUNEMANN. I was with OPA until the summer of 1944, the summer or fall, when I resigned from OPA for the immediate purpose of working full time in the 1944 election campaign. In December when that campaign was over I entered private practice of law here in Denver, Colo.

Mr. ARENS. Have you been engaged in practice of the law since then?

Mr. SCHEUNEMANN. I have.

Mr. ARENS. Have you discussed your proposed appearance here today with any person other than with your wife and with your counsel?

Mr. SCHEUNEMANN. Yes; I have. In general terms I have discussed it with a number of people. Prior to the time that I was subpoenaed, I discussed it with anybody who asked me about the newspaper stories. Since I have been subpoenaed I have discussed it with Dr. and Mrs. Plumb on 2 or 3 occasions, not in terms of what testimony would be but in a joint effort to ascertain what the facts were which might give rise to this.

Mr. ARENS. Did you discuss with Dr. and Mrs. Plumb their proposed testimony or appearance before this committee?

Mr. SCHEUNEMANN. I did not discuss their testimony. We had a general discussion as to what the facts were and what the associations were, what could have been in Mr. Fuchs' mind, just a general discussion as to what it was all about.

Mr. ARENS. Where did that conversation take place?

Mr. SCHEUNEMANN. In their home, I believe, primarily, although possibly the doctor was in my home on one occasion.

Mr. ARENS. Did you consult with them in a professional capacity or just as a friend?

Mr. SCHEUNEMANN. I would think it was perhaps semiprofessional because they knew I was a lawyer and they did raise questions and we discussed questions as to what your rights are, but I was not employed as an attorney in a professional sense.

Mr. ARENS. I shall not ask you to presume to violate any professional confidences between yourself and a client, if you were in a client-lawyer relationship there. Is there any other person or persons with whom you have discussed your appearance or their appearance before this committee, other than in a professional capacity?

Mr. SCHEUNEMANN. I have discussed it very briefly with Phil Reno, with Dwight Spencer.

Mr. ARENS. When did you discuss it with Phil Reno?

Mr. SCHEUNEMANN. He called me from Taos when he was first subpoenaed and asked me if we could represent him in this proceeding or advise him in it, or if we couldn't, if we could recommend an attorney, and I did that.

Mr. ARENS. You did what?

Mr. SCHEUNEMANN. Recommended an attorney or suggested the names of several attorneys, and suggested that he interview them and make his own decision.

Mr. ARENS. Did you discuss your appearance here today with Phil Reno?

Mr. SCHEUNEMANN. I told him that I had been subpoenaed and therefore could not represent him, or I expected to be subpoenaed.

Mr. ARENS. Did you discuss with him his appearance today, other than to advise him or suggest a counsel to him?

Mr. SCHEUNEMANN. We discussed the appearance; yes, certainly.

Mr. ARENS. With whom else have you had conversations respecting your appearance?

Mr. SCHEUNEMANN. I have had a conversation with Robert W. Kenny from Los Angeles who was here in Denver.

Mr. ARENS. Could you identify him for us?

Mr. SCHEUNEMANN. He is an attorney in Los Angeles. I have discussed the fact that I was appearing here with Nathan Witt, who is an attorney from New York City.

Mr. ARENS. What is the nature of your acquaintanceship with Nathan Witt?

Mr. SCHEUNEMANN. I met Nathan Witt when we first started practicing law. We represented the Mine, Mill, and Smelter Workers on a number of important suits in Colorado, Wyoming, and New Mexico. Nathan Witt was the general counsel in New York and we had rather voluminous correspondence in connection with those suits. He came to Denver on at least one occasion for the purpose of discussing the suits with local attorneys. That is the first time I met him.

Mr. ARENS. When did you have this discussion with Nathan Witt respecting your appearance here today?

Mr. SCHEUNEMANN. This has been several weeks ago. He called my office and said he was in town and asked if we would like to have lunch with him. I said I would be very happy to have lunch with him.

Mr. ARENS. What transpired?

Mr. SCHEUNEMANN. We just had lunch, and I told him I had been subpoenaed. He said he had been through this 7 or 8 times. That is about the size of it.

Mr. ARENS. Did you know he is one of the hardest hard-core Communists in the country today?

Mr. SCHEUNEMANN. I know the charge has been made, Mr. Arens. I have no personal knowledge of that.

Mr. ARENS. With whom else have you had a discussion respecting your appearance here today?

Mr. SCHEUNEMANN. I don't recall anybody else that I have discussed this appearance with.

Mr. ARENS. Mr. Herbert Fuchs testified before this committee under oath that he knew you as a member of the Communist Party in the National Labor Relations Board in Washington, D. C. Did you know Mr. Fuchs?

Mr. SCHEUNEMANN. I knew him; yes.

Mr. ARENS. Did you know him as a Communist?

Mr. SCHEUNEMANN. I did not.

Mr. ARENS. Did you know a person by the name of Allan Rosenberg when you were at the National Labor Board in Washington?

Mr. SCHEUNEMANN. No.

Mr. ARENS. Martin Kurasch?

Mr. SCHEUNEMANN. I did not know him except by sight. I did know him later in Denver.

Mr. ARENS. Joseph Robison, R-o-b-i-s-o-n?

Mr. SCHEUNEMANN. I didn't know Mr. Robison. I knew there was a man by that name on the staff of the Board. I had heard his name or seen his name on decisions.

Mr. ARENS. David Rein?

Mr. SCHEUNEMANN. I knew him.

Mr. ARENS. What was the nature of your acquaintanceship with David Rein?

Mr. SCHEUNEMANN. He was an attorney on the staff. He was also president of the NLRB Union. I later know him quite well in connection with the Washington Committee for Democratic Action of which we were both members.

Mr. ARENS. Were you by any chance a member of the National Lawyers Guild when you were in Washington?

Mr. SCHEUNEMANN. I recall having attended 1 or 2 meetings. Whether I ever paid dues or signed an application I don't recall.

Mr. ARENS. Did you know David Rein in any other organizations?

Mr. SCHEUNEMANN. No; I did not.

Mr. ARENS. Did you know Woodrow Sandler?

Mr. SCHEUNEMANN. I did.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. SCHEUNEMANN. He was on the review staff and was for a time one of my office mates.

Mr. ARENS. Were you in any organization with him?

Mr. SCHEUNEMANN. He was a member and quite active in this Washington Committee for Democratic Action.

Mr. ARENS. Did you belong to any other organizations of which he was a member?

Mr. SCHEUNEMANN. Not that I recall.

Mr. ARENS. When is the last time you saw or had any contact with Woodrow Sandler?

Mr. SCHEUNEMANN. He left the Board, if I recall correctly, before I did, so that would have been some time in the year 1941 or 1942.

Mr. ARENS. Did you know Jacob H. Krug, K-r-u-g?

Mr. SCHEUNEMANN. I have no recollection of him whatever, except that I have seen that name. Where I saw it I don't know. Possibly on a board decision. I certainly have seen it in the newspapers since the Fuchs testimony was published.

Mr. ARENS. Did you know Mortimer Riemer?

Mr. SCHEUNEMANN. No; I did not.

Mr. ARENS. John W. Porter?

Mr. SCHEUNEMANN. I first met him when I came back to Denver in 1942. He was in Denver at the time as an attorney in the Antitrust Division. He transferred to the OPA about the same week I did. I met him first here in Denver.

Mr. ARENS. Is that the only basis on which you had an acquaintanceship with him?

Mr. SCHEUNEMANN. Yes.

Mr. ARENS. Did you know his wife, Margaret?

Mr. SCHEUNEMANN. I did not know her although I knew she was at the National Labor Relations Board for a short time when I was there.

Mr. ARENS. How about Ruth Weyand? Did you know her in Washington?

Mr. SCHEUNEMANN. I have never met her or known her or seen her.

Mr. ARENS. Harry Cooper?

Mr. SCHEUNEMANN. I have no recollection of him in any way.

Mr. ARENS. Frank Donner?

Mr. SCHEUNEMANN. The name is familiar. I don't recall the person.

Mr. ARENS. Bertram Diamond?

Mr. SCHEUNEMANN. Again I recall the name as being on the review staff. I have a vague recollection that I probably have met him.

Mr. ARENS. When did your association with the Washington Committee for Democratic Action cease?

Mr. SCHEUNEMANN. It is hard to say exactly because as I recall the Washington Committee for Democratic Action just sort of died of attrition and disintegrated.

Mr. ARENS. When is the last time you recall having an identity with it?

Mr. SCHEUNEMANN. I would say it was about April of 1941, approximately. I recall having appeared in a public meeting then. I don't recall anything after that.

Mr. ARENS. Did you know that since your affiliation with the Washington Committee for Democratic Action it has been cited as subversive and Communist by the Attorney General?

Mr. SCHEUNEMANN. I have heard that. I have not seen the list. I have no personal knowledge of it. I have heard, I might say, not that it has been cited as Communist but that it was cited as, what do you say, Communist infiltrated, or something of that sort.

Mr. ARENS. It was cited twice, first by Attorney General Biddle in 1942, as an organization which had been Communist infiltrated, which apparently was a year after you disassociated yourself from it, and it was cited as subversive and Communist by then Attorney General Tom Clark in 1947 and again in 1948.

Mr. SCHEUNEMANN. As I say, I have no personal knowledge of those citations or what they were based on.

Mr. ARENS. What transpired in this conversation between you and Mr. Philip Reno?

Mr. SCHEUNEMANN. What conversation?

Mr. ARENS. The conversation that you recounted a few moments ago with reference to his appearance here.

Mr. SCHEUNEMANN. As I say, the only conversation that I recall having had is when he called me and asked if we could suggest an attorney if we could not represent him. Since then I saw him this morning on the way to the court room. We had no conversation about this, except "Well, here we are." I have not discussed his testimony or what he would do and he has not. As far as I know I have not told him what I was going to say except that I was going to testify.

Mr. ARENS. Did any personal animosity ever develop between you and Mr. Fuchs?

Mr. SCHEUNEMANN. Between me and Mr. Fuchs?

Mr. ARENS. Yes.

Mr. SCHEUNEMANN. Not to my knowledge.

Mr. ARENS. Mr. Fuchs testified that he actually recruited you into the Communist Party. Do you have any recollection of that occurrence?

Mr. SCHEUNEMANN. No; I do not. I might say it is not true. Whether it is a deliberate lie or a mistake, or an unwarranted assumption, I don't know, but it is not a fact.

Mr. ARENS. Have you developed a sense of indignation toward these many people whom you have known as fellow employees, and who have since been identified under oath as members of the Communist conspiracy?

Mr. SCHEUNEMANN. I have no sense of indignation that they have been—you mean do I have a sense of indignation because I feel they were Communists all the time and didn't tell me?

Mr. ARENS. Yes.

Mr. SCHEUNEMANN. No, I haven't, because with the exception of one person, none of the others to my personal knowledge were Communists. I do not accept the fact even now that they were Communists. I still have an open mind on that.

Mr. ARENS. Who is that person?

Mr. SCHEUNEMANN. That I must refuse to answer because of the personal relationship of attorney-client which existed between us beginning in 1946.

Mr. ARENS. Did you acquire information respecting that person's Communist Party membership exclusively and solely on the basis of your relationship as attorney and client?

Mr. SCHEUNEMANN. Yes.

Mr. ARENS. Did you have a sense of indignation toward Nathan Witt, who would have the gall to call you and invite you to lunch when he has been repeatedly identified as a hard core member of the Communist conspiracy in this Nation?

Mr. SCHEUNEMANN. None whatever.

Mr. ARENS. Have you been identified with a publication called Challenge?

Mr. SCHEUNEMANN. Yes; I have. Challenge was a newspaper and I served as its attorney at the time it was incorporated. I advised it when they requested legal advice for a short period after it began publication. My only connection with Challenge in any sense was that I was attorney at the time it was organized.

Mr. ARENS. Do you recall who engaged you as attorney?

Mr. SCHEUNEMANN. Graham Dolan.

Mr. ARENS. Do you know that Graham Dolan, who employed you as counsel for Challenge, has been identified as a Communist before a Senate committee?

Mr. SCHEUNEMANN. I do not know that; no.

Mr. ARENS. Do you know that he appeared before the Senate Internal Security Subcommittee and hid behind the fifth amendment?

Mr. SCHEUNEMANN. Mr. Arens, I don't know whether he appeared or not and I do not agree that anybody hides behind the fifth amendment. I think the fifth amendment is a shield for the innocent as well as the guilty. I draw no inferences whatsoever from the invoking of the fifth amendment.

The CHAIRMAN. Let's draw our own conclusions about it. Instead of talking about hiding behind the fifth amendment, let us say invoking the fifth amendment, which can mean anything that you or I want it to mean.

Mr. SCHEUNEMANN. I appreciate that, Mr. Chairman.

Mr. ARENS. Who engaged you as counsel for the International Union of Mine, Mill and Smelter Workers?

Mr. SCHEUNEMANN. I don't recall actually who did. We have represented a number of locals of the Mine, Mill and Smelter Workers both when they were in the Mine, Mill and Smelter Workers and when they disaffiliated from the Mine, Mill and Smelter Workers.

Mr. ARENS. Was your association with the Mine, Mill and Smelter Workers exclusively as attorney-client?

Mr. SCHEUNEMANN. Yes; it was.

Mr. ARENS. Did you represent Maurice Travis?

Mr. SCHEUNEMANN. Never.

Mr. ARENS. When did you last have a professional relationship with the International Union of Mine, Mill, and Smelter Workers?

Mr. SCHEUNEMANN. I believe that it would be in—I can only guess—I think around 1946. We wrote a brief in a criminal case in New Mexico which had been appealed to the Supreme Court of New Mexico. We were engaged by the Mine, Mill, and Smelter Workers. I don't believe we have had any association in a professional way with them since approximately 1946. Since that time we have represented locals of the Mine, Mill, and Smelter Workers and the steelworkers. We represented them as counsel for the United Steel Workers of America against the Mine, Mill, and Smelter Workers.

Mr. ARENS. Do you know a person by the name of Shirley Bramhall?

Mr. SCHEUNEMANN. I have met her.

Mr. ARENS. What is the nature of your acquaintanceship with her?

Mr. SCHEUNEMANN. I met her as a member of the Boulder Young Democrats at the time we set up the Young Democrats of Colorado.

Mr. ARENS. In what capacity was she serving?

Mr. SCHEUNEMANN. I don't recall that she was serving in any capacity. I just recall her and her husband as being in the first dimension in which the Young Democrats were set up.

Mr. ARENS. In what capacity did you serve?

Mr. SCHEUNEMANN. I was State president of the Young Democrats of Colorado.

Mr. ARENS. Have you had any association with her since then?

Mr. SCHEUNEMANN. Not that I recall.

Mr. ARENS. Do you know or have you known a person by the name of Irving Blau?

Mr. SCHEUNEMANN. I do not know him. I think I have met him.

Mr. ARENS. Do you recall the nature of your acquaintanceship with him?

Mr. SCHEUNEMANN. The only recollection I have of ever having seen him was in one meeting of the board of directors of Challenge when I was asked to give a judgment as to whether a proposed article was libelous or not. I think he was there. It is a vague recollection. I think it occurred.

Mr. ARENS. Do you know a person by the name of David Bramhall?

Mr. SCHEUNEMANN. Yes. He was a member of the Young Democrats of Colorado and I think an officer in the Young Democrats at the University of Colorado.

Mr. ARENS. What was the nature of your acquaintanceship with him?

Mr. SCHEUNEMANN. Solely that. He attended the convention in which we founded the State organization.

Mr. ARENS. How about Martha Correa, C-o-r-r-e-a. Have you known her?

Mr. SCHEUNEMANN. No, I do not know her. I have seen her name and heard her name, of course.

Mr. ARENS. Have you ever been solicited for membership in the Communist Party?

Mr. SCHEUNEMANN. No, I have not. I would like to go into that if I may. I would like to say this: During this whole period of years and particularly since I have been in private practice I have been fairly prominent at least in liberal, somewhat left-wing activities. I am sure anybody who knew me well enough to have asked that kind of question would also know me well enough not to ask it. First, because I am a Catholic and have been a practicing Catholic all my life. Second, I have been a member and active member of the Democratic Party all my life. I have expressed myself on every occasion where I thought it was necessary or appropriate as not being in accord with certain features of the Communist Party or the Communist program.

Mr. ARENS. What are these features that you are not in accord with?

Mr. SCHEUNEMANN. I object to what I understand, at least from past reading, the attitude of the Communist Party toward religion. I object to the one-party system which has developed in Russia. I object to what seems to me to be a devotion or at least a closeness on the part of the American Communist Party to the Russian Communist Party. I object to any form of dictatorship, whether it be Communist, Fascist, or any other kind.

Mr. ARENS. Did you register this objection and indignation towards communism to Nathan Witt in this last session you had with him?

Mr. SCHEUNEMANN. I have never discussed communism with Nathan Witt, I have never seen the necessity of it. He has never tried to discuss it with me. My only discussions with Nathan Witt have been in connection with practical, immediate problems.

Mr. ARENS. Did you have any qualms of conscience in undertaking to solve practical immediate problems with a person who has been repeatedly identified as a hard-core agent of the international Communist conspiracy?

Mr. SCHEUNEMANN. I have no problems whatsoever. I respect the right of a man to be a Communist if he chooses to be one. I do not share his beliefs.

Mr. ARENS. Do you respect the right of a man to be a traitor if he chooses to be one?

Mr. SCHEUNEMANN. No, I do not.

Mr. ARENS. Do you make a distinction between a traitor and a member of the Communist conspiracy?

Mr. SCHEUNEMANN. I certainly do. I would never accuse anyone of being a traitor unless he were convicted of the act.

Mr. ARENS. Did you register your indignation toward communism to Philip Reno, who has been identified as a Communist?

Mr. SCHEUNEMANN. I did not.

Mr. ARENS. I have no further questions of this witness.

The CHAIRMAN. Any questions?

Mr. FRAZIER. No questions.

Mr. VELDE. Yes, I would like to ask just one question.

Were you active in the 1948 campaign?

Mr. SCHEUNEMANN. In the 1948 campaign? Yes, Mr. Velde, I was president of the State Young Democrats until the very beginning of that campaign, and I continued actively through the campaign for the Democratic Party. I never joined the Progressive Party, if that is what is in your mind, and I never had any connection with it.

The CHAIRMAN. Is that all, Mr. Velde?

Mr. VELDE. Yes.

The CHAIRMAN. The witness is excused.

Mr. ARENS. May we have a short recess.

The CHAIRMAN. Yes. The committee will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

Call your next witness, Mr. Arens.

Mr. ARENS. Mr. Bellarmino Duran, please.

Kindly remain standing while the chairman administers the oath to you.

The CHAIRMAN. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DURAN. I do.

TESTIMONY OF BELLARMINO JOE DURAN

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. DURAN. My name is Bellarmino Joe Duran. First name B-e-l-l-a-r-m-i-n-o. I live at 1265 West 10th Avenue in Denver, Colo. I am a plasticizing press operator.

Mr. ARENS. Mr. Chairman, may I respectfully announce for the purpose of the information of the committee and for this record that Mr. Duran has a physical impediment which makes it necessary for him to relax from time to time, every 15 or 20 minutes.

The CHAIRMAN. You just indicate when that is necessary.

Mr. ARENS. If you will kindly do so. That will not press you too hard, Mr. Duran. If you feel it is necessary for you to relax, let us know and we will suspend.

Mr. Duran, give us a brief thumbnail sketch of your early life, where and when you were born and a word about your education prior to the time that you became an adult.

Mr. DURAN. I was born in Dulce, N. Mex., on December 10, 1923. My education is the seventh grade, grade school.

Mr. ARENS. Give us a word, just in sketch form, about your activities and employment since you completed your grade-school education.

Mr. DURAN. The first thing I did after I left school was to join the Civilian Conservation Corps to help the family out. I got an honorable discharge out of that. I went back to work on the farm until 1942, when I was drafted in the Army. I was discharged 2 weeks after that for medical reasons, for tuberculosis. In 1945 we moved into Denver, Colo. I worked at Montgomery Ward. I worked at the Colorado Motor Freight Co. Then I went into the hospital in 1946 and came out in 1948. In the hospital I received a three-stage thoracoplasty.

The year 1949 I worked for Frey & Cunningham, printers and stationers. Later, after a relapse in 1949 and 1950, I worked with the Variety Bakery, the Dutch's Drive-In, and I worked for Luby Chevrolet in 1953. In 1954 I worked for the Alpine Cleaners in Denver. At present I am working for Shwayder Bros.

Mr. ARENS. What is Shwayder Bros.?

Mr. DURAN. That is a factory where they make suitcases and other items.

Mr. ARENS. Mr. Duran, have you ever been a member of the Communist Party?

Mr. DURAN. Yes, sir; I have.

Mr. ARENS. Tell us first of all the date on which you joined the Communist Party.

Mr. DURAN. I joined the Communist Party of Colorado in 1948, in the fall.

Mr. ARENS. Tell us when you disassociated yourself from the Communist Party or had your relationship severed with the Communist Party.

Mr. DURAN. I was expelled from the Communist Party on April 3, 1955.

Mr. ARENS. Were you at any time ideologically identified with the Communist Party? By "ideologically identified," I mean were you in sympathy with the Communist Party at any time during the period of your membership from 1948 to 1955?

Mr. DURAN. A bona fide member; no sir.

Mr. ARENS. You were a member of the Communist Party solely and exclusively at the behest of the Federal Bureau of Investigation to serve your country; is that correct?

Mr. DURAN. That is correct, sir.

Mr. ARENS. During the period of your service in the Communist Party were you making periodic reports to the Federal Bureau of Investigation?

Mr. DURAN. Yes.

Mr. ARENS. Would you kindly, at your own pace and in your own way, tell us the circumstances of your joining the Communist Party, who recruited you into the Communist Party, and give us a historical account of your activities in the Communist Party and people whom you knew in that operation.

Any time that you feel you are obliged to recess for a little while, just let us know.

Mr. DURAN. In the summer of 1948 I heard a broadcast on the radio by President Harry Truman in which he stated that the FBI would be in control and would be the agency for any citizen contact with any subversive activities in the community. That gave me the idea that there was something wrong. Immediately after that there were Communists in the Progressive Party in the Denver area who were using a sound truck to carry out their propaganda in Spanish and in English. It did not sound very American the way they were talking against the Government. The people who were doing it were Robert Trujillo from 4030 Tejon Street, Denver, and Dave Bramhall from Denver.

Mr. ARENS. How did you know these people?

Mr. DURAN. Later on I became acquainted with them within the Communist Party.

Mr. ARENS. I don't want to interrupt the chronology of your activities in the party. Please proceed.

Mr. DURAN. I took the leaflet to the FBI office and reported orally the agitation which was going on in the Spanish-American community. It seemed to be taking in some innocent people.

Mr. ARENS. You are of Spanish descent or some Spanish derivation; are you not?

Mr. DURAN. I am Spanish.

Mr. ARENS. You speak Spanish and understand the language?

Mr. DURAN. Yes, sir.

Mr. ARENS. Proceed, please.

Mr. DURAN. Later on an FBI agent contacted me and asked me if I wanted to do a patriotic job to the country and to the American people. I agreed, and I went in.

Mr. ARENS. You joined the Communist Party? Is that what you mean?

Mr. DURAN. I went into the Communist Party to gather information for the Government, for the FBI.

Mr. ARENS. Could you tell us first of all who solicited you to join the Communist Party and how you actually affiliated yourself with that conspiracy?

Mr. DURAN. In 1948 during the Progressive Party campaign, there was also a youth Marxist-Leninist study group which Harold Zepelin and Fred Trujillo and others belonged to. They invited me in to try to indoctrinate me in the philosophy of communism.

Mr. ARENS. Was that itself a Communist cell or just a study group for indoctrination of people who would eventually be taken into the Communist Party?

Mr. DURAN. It was the school to try to indoctrinate people before they came into the party, so they could meet the standards of coming into the party.

Mr. ARENS. Was that school conducted here in the Denver area?

Mr. DURAN. The school was conducted in the Sam Kaplan grocery store at Decatur and West Colfax.

Mr. ARENS. Who solicited you to become a member of that study group?

Mr. DURAN. Harold Zepelin.

Mr. ARENS. Did you know him prior to the time that he solicited you to become a member?

Mr. DURAN. Right at that time I had met Harold Zepelin in the Labor Youth League on the East Side, and I was already in touch with the FBI. I gave him some of my opinions, and he asked me that I should come into the Communist Party and become a leading Mexican cadre as they were going into Mexican fieldwork full blast.

Mr. ARENS. Is the record clear, Mr. Duran? Did Harold Zepelin, Z-e-p-e-l-i-n, recruit you into the Communist Party?

Mr. DURAN. No, sir. He approached me, and I decided it was better to let Juan Martinez recruit me into the party.

Mr. ARENS. Did Juan Martinez, M-a-r-t-i-n-e-z, recruit you into the Communist Party?

Mr. DURAN. Yes, sir; he did.

Mr. ARENS. Can you identify him for us?

Mr. DURAN. Juan Martinez was a member at the time I joined of the West Side Mexican Branch of the Communist Party of Colorado.

Mr. ARENS. Tell us all you know about that West Side Mexican Branch of the Communist Party. Who were the members of the cell or of the branch? Identify each person.

Mr. DURAN. In 1948, after accepting the invitation of Juan Martinez to join the Communist Party, he told me that there would be a meeting at 2783 West Colfax the coming Sunday, and I was not to go there unless I went with him, Juan Martinez. On that Sunday at 10 o'clock Martinez and I went into this place and there was a meeting going on and political guidance from the county. Robert Trujillo acted as chairman.

Mr. ARENS. Let's get these names clearly now. Anna Bary was at the meeting?

Mr. DURAN. Yes.

Mr. ARENS. Was this a closed Communist Party meeting?

Mr. DURAN. Yes.

Mr. ARENS. Open only to comrades in good standing in the conspiracy; is that correct?

Mr. DURAN. That is true.

Mr. ARENS. You say another person there was Robert—and his last name is T-r-u-j-i-l-l-o?

Mr. DURAN. Yes.

Mr. ARENS. All right, sir. In what capacity was he serving there?

Mr. DURAN. He was the chairman of the branch at that time.

Mr. ARENS. Who else was at that branch meeting?

Mr. DURAN. At that branch meeting was Julius Apodaca—A-p-o-d-a-c-a.

Mr. ARENS. Can you identify Julius Apodaca?

Mr. DURAN. Yes, sir; I can.

Mr. ARENS. I mean tell us what he did—what was his office or post.

Mr. DURAN. At that time I did not know his post. In early 1949, when the reorganization of the West Side Mexican section took hold, he was the literature director, a member of the executive board of the West Side Branch of the Communist Party in Colorado.

Mr. ARENS. Is there another person whom you knew and can identify as a person who to your certain knowledge was a member of the West Side Mexican Branch of the Communist Party?

Mr. DURAN. There was the political leader, the secretary, Jane Rogers.

Mr. ARENS. R-o-g-e-r-s?

Mr. DURAN. Yes. The Daily Worker organizer, Juan Martinez.

Mr. ARENS. M-a-r-t-i-n-e-z?

Mr. DURAN. Yes.

Mr. ARENS. And Juan is J-u-a-n?

Mr. DURAN. J-u-a-n. And a man and woman by the name of Mr. and Mrs. Phillipe Lopez—L-o-p-e-z.

Mr. ARENS. Phillipe Lopez.

Mr. DURAN. Yes.

Mr. ARENS. What was his wife's name, do you know?

Mr. DURAN. I do not know.

Mr. ARENS. But his wife was also a member of the West Side Mexican Branch of the Communist Party?

Mr. DURAN. Yes; she was.

Mr. ARENS. Were there other persons who to your certain knowledge were members of that branch?

Mr. DURAN. There were ex officios of the branch, Martha Correa.

Mr. ARENS. How do you spell Correa?

Mr. DURAN. C-o-r-r-e-a. And Harold Zepelin. That is spelled Z-e-p-e-l-i-n.

Mr. ARENS. When you say an ex officio member of the branch you are not precluding the fact that they were Communists?

Mr. DURAN. No, sir. I mean that they are the ones who came down to the section to battle the ideology and carry out the Communist Party line.

Mr. ARENS. But you are here and now identifying Lopez and Zepelin as persons who to your certain knowledge were members of the West Side Mexican Branch of the Communist Party of Denver, Colo.?

Mr. DURAN. Yes.

Mr. ARENS. Can you tell us the names of any other persons who to your certain knowledge were members of this branch?

Mr. DURAN. I don't recall myself at this time.

Mr. ARENS. Before we proceed with another item in the chronology of your career in the Communist Party, can you tell us what this West Side Mexican branch did?

Mr. DURAN. The West Side Mexican Branch carried out the policy of the Communist Party higher cell into the Mexican communities. In the fall of 1948 one of the main and immediate objectives of the Mexican sections in Denver, including the West Side Branch, was to establish and develop a committee to organize the Mexican people and develop that into the National Association of Mexican-Americans.

Mr. ARENS. Was there an organization formed called the National Association of Mexican-Americans?

Mr. DURAN. In the year 1949, in the spring of 1949, the organization was established.

Mr. ARENS. How many members did the National Association of Mexican-Americans have?

Mr. DURAN. In a report given by the national president, nationally it had cajoled 7,500 people; locally 750 people reported by Al Sena, who is also a Communist.

Mr. ARENS. I don't quite comprehend. Would you please give me those figures again for this record—the membership of the National Association of Mexican-Americans?

Mr. DURAN. Nationally it was reported by the national president, Alfredo C. Montoya, to be 7,500, and locally reported by the local president, 750.

Mr. ARENS. Was this organization controlled by the Communist Party?

Mr. DURAN. To my knowledge it was.

Mr. ARENS. How many Communists actually controlled the organization of 7,500? Do I make myself clear? There were 7,500 people in the organization controlled by the Communist Party. How many members of the Communist Party actually had their hands on the steering wheel, actually running the organization?

Mr. DURAN. I would say hard-steel Communists that would be anywhere from 10 to 20. There were others that were just developing into a stage of hard-steel Communists.

Mr. ARENS. In other words, 10 to 20 Communists were controlling an organization of 7,500, is that correct?

Mr. DURAN. Yes.

Mr. ARENS. Now can you tell us what this organization did to further the objectives and aims of the Communist conspiracy in this area?

Mr. DURAN. The National Association of Mexican-Americans was an organization created by the Communist Party leaders to be national in form and socialistic in content. It was to utilize the aspirations of the Mexican people in order to develop the tactics of the Communist Party. An example of the theoretical distribution is the treaty between Mexico and the United States, the Guadalupe-Hidalgo Treaty. In the National Mexican Commission the decision was to reopen this treaty and give it new form and new content, to try to guarantee the rights of the Mexican people, but at the same time explain to the Mexican people that that in itself was not the solution because it was still a patchwork within the capitalistic society.

Mr. ARENS. All this was Communist Party line enunciated by the National Association of Mexican-Americans, is that correct?

Mr. DURAN. Yes. In the final stage we had to get across to the people that socialism was the real answer, and not modification of the treaty itself.

Mr. ARENS. What post did you hold in the organization?

Mr. DURAN. The National Association of Mexican-Americans?

Mr. ARENS. Yes, sir.

Mr. DURAN. First I went in as a member. Later I held the position of East Side branch chairman. That was disorganized and put into a citywide organization, and then I was the cultural director for the State of Colorado. At last I was the political leader of the organization.

Mr. ARENS. Did you also hold a post within the West Side Mexican Branch of the Communist Party?

Mr. DURAN. In the reorganization of 1949 I was made educational director of the West Side Mexican Branch.

Mr. ARENS. Can you give us just a word about the echelon of command pursuant to which the Communist conspiracy would send its orders and directives into the National Association of Mexican-Americans?

Mr. DURAN. Nationally or locally?

Mr. ARENS. Either way.

Mr. DURAN. Nationally in my experience the most basic example was when the National Mexican Commission of the Communist Party met in Los Angeles, Calif., in the fall of 1950. The national leader of the Mexican commission, Art Bary, its president, Anna Bary—

The CHAIRMAN. B-a-r-y?

Mr. DURAN. That is the way I spell it.

The CHAIRMAN. He wasn't a Mexican, was he?

Mr. DURAN. Absolutely not.

The CHAIRMAN. All right.

Mr. DURAN. And Anna Bary, another member of the national Mexican commission. Frances Flores Lynn.

Mr. ARENS. Were you on this national commission?

Mr. DURAN. I am getting to that point. Art Flores from Arizona, and Joe DiSanti from New Mexico. A Negro man from Los Angeles by the name of Alexander. Another Negro man by the name of Bill Taylor, and myself. Alfredo Montoya—

Mr. ARENS. Is this record clear that you were on the National Commission of the Communist Party to control Mexicans? Is that correct?

Mr. DURAN. No, sir. I was a special delegate to the commission elected by our end.

Mr. ARENS. Let us get the name of the commission again first, please, sir.

Mr. DURAN. It was the National Mexican Commission of the Communist Party.

Mr. ARENS. Did you participate in sessions with the commission?

Mr. DURAN. Yes, sir.

Mr. ARENS. Were these sessions open only to comrades of the Communist conspiracy?

Mr. DURAN. Open only to comrades who were invited to that commission, who were assigned to that work.

Mr. ARENS. So these people whose names you have just given us were known by you to be members of the Communist conspiracy, is that correct?

Mr. DURAN. I didn't know Alexander and Bill Taylor other than at that meeting.

Mr. ARENS. But that meeting itself was open only to comrades, is that correct?

Mr. DURAN. That is true.

Mr. ARENS. Therefore, if they were in that meeting you knew them as comrades?

Mr. DURAN. Yes, sir.

The CHAIRMAN. May I ask a question at this point? Does the National Mexican Commission of the Communist Party have branches throughout the United States?

Mr. DURAN. No. The way it was reported there by Art Bary was that the National Committee of the Communist Party, through its report at the Colorado convention—given at the national convention—had to set up this national commission to overlook all the Mexican work in the Southwest of the United States. However, there was a Colorado Mexican Commission of the Colorado Communist Party later.

The CHAIRMAN. Did this group participate in any way in bringing a great many Mexicans unlawfully into the United States?

Mr. DURAN. The policy in dealing with the international people who came across the river was not to try to stop them, but condemning the American Government as well as the American employers for letting them come across, and specifically, the American Government for letting them come across when the employers could exploit them.

The CHAIRMAN. All right.

Mr. ARENS. I am a little fearful we may be imposing on your physical endurance.

Mr. DURAN. No; I am all right. Will you continue with your questions.

Mr. ARENS. Continue the chronology of your career in the Communist Party.

Mr. DURAN. I had just finished on Alfredo Montoya. At a National Mexican Commission meeting Alfredo Montoya received a directive from the National Mexican Commission of the Communist Party of what should be in the ANMA convention alignment.

Mr. ARENS. ANMA is the national Mexican organization?

Mr. DURAN. Which was to be held immediately following the commission's meeting. There Alfredo Montoya at this commission meeting participated as the secretary, and Frances Flores Lynn, also a member of the ANMA, participated as chairman and made notes and were taken to the convention of ANMA and were fought for and some of these policies were passed at the ANMA convention.

The orientation we received there, specifically I, was that we were supposed to support and back Alfredo Montoya for national president of the organization. That is the answer to how some of the party's policies got into ANMA. Locally the party policy got into ANMA through the Mexican section, through Alfonso Sena, through Shirley Bramhall, through Morris Wright, through Jeannette Stern, and Rose Sena and myself, under the directorship of Martha Correa.

Mr. ARENS. Do you identify each of the persons whom you have just named as persons who to your certain knowledge were members of the Communist Party?

Mr. DURAN. Yes; those who gave us the directive to the Mexican section at special meetings or secret schools were Art Bary and Anna Bary, and more consistently Martha Correa.

Mr. ARENS. How do you spell Correa?

Mr. DURAN. C-o-r-r-e-a.

Mr. ARENS. Have you finished?

Mr. DURAN. Yes.

Mr. ARENS. Did you have occasion during your career in the Communist Party to attend Communist Party training schools?

Mr. DURAN. Yes, sir.

Mr. ARENS. Tell us about them, please, sir. Where were they held? When were they held? Tell us the names of the principal leaders.

Mr. DURAN. In the year 1949 a 2-day and 2-night school, strictly Communist, was held at the Ute Ranch. The chairman of that school was Maia James Scherrer.

Mr. ARENS. Will you spell that name, please?

Mr. DURAN. Maia, M-a-i-a, James, Scherrer, S-c-h-e-r-r-e-r is the way I spell it.

Mr. ARENS. Is that person a man or a woman?

Mr. DURAN. A woman.

Mr. ARENS. Do you identify her as a person known to you to have been a member of the Communist Party?

Mr. DURAN. Maia James Scherrer is a person I identified in the Communist trial in the Federal court in Denver.

Mr. ARENS. As a member of the Communist Party?

Mr. DURAN. As a member of the Communist Party and leader of the Communist Party.

Mr. ARENS. All right, sir.

Mr. DURAN. At that school the main thing that transacted there was divorcing the members from accepting the elected American Government, to be the vanguard here rejecting that and accepting the Communist Party as the vanguard of the people attending there.

Mr. ARENS. Can you give us a list of the names of the principal people there?

Mr. DURAN. At that school the second main thing that was developed was that the Communists are special people, not just merely another citizen in the community, but are leaders of the vanguard

who do not have the responsibility to pick up a gun and go shooting on the street, but are in relationship to the public what a general staff in the army is to the army. That is what the Communist Party vanguard is to the working class. That was put across there. The people that I recall attending there were the chairman, Maia James Scherrer, political leader Art Bary, Robert Trujillo, a Negro by the name of Jackson, Anna Bary, Martha Correa, Tim Correa, Flora Besson.

Mr. ARENS. How do you spell Besson?

Mr. DURAN. B-e-s-s-o-n. Susie Clute, C-I-u-t-e. Antonio Rodriguez.

Mr. ARENS. Do you here and now identify each of the persons you have just named as persons who to your certain knowledge were members of the Communist Party?

Mr. DURAN. Yes, sir.

Mr. Paul Kleinbord; there were others; I can't recall right offhand.

Mr. ARENS. Paul Kleinbord you identify now as a person who to your certain knowledge was a member of the Communist Party; is that correct?

Mr. DURAN. Yes.

Mr. ARENS. Did you attend any other Communist Party school?

Mr. DURAN. In 1950, in the fall of 1950, at the same place, the Ute Ranch immediately after the Korean war broke out.

Mr. ARENS. That is the U-t-e Ranch?

Mr. DURAN. The U-t-e- Ranch; yes.

Mr. ARENS. In Idaho Springs, Colo., or that vicinity?

Mr. DURAN. It is west of Idaho Springs, Colo.

Mr. ARENS. Proceed, if you please, sir.

Mr. DURAN. In the latter part of 1950 the Communist Party in Colorado took a position on the Korean war and the Stockholm Peace Petition. This school was organized at the Ute Ranch to give the members the line that the party wanted put into practice.

There the American Government got condemned as being imperialistic and aggressive government, and we were to work against that. One of the avenues to work against the Government was through the Stockholm Peace Petition, to embarrass the Government and at the same time join the Soviet Peace Camp.

Mr. ARENS. Who was in attendance at this school in 1950 at the Ute Ranch?

Mr. DURAN. In attendance were Art Bary, Anna Bary, Martha Correa, Tim Correa. There were approximately 18 people. I can't recall exactly who they were at this time.

Mr. ARENS. Was there another Communist Party school you attended during your career in that conspiracy?

Mr. DURAN. Between the time of 1950 and—

Mr. ARENS. Do you want to rest a little while?

Mr. DURAN. No, sir. I am quite all right.

Between the period of 1950 and 1951, March of 1951, there was continuous and disorganized education within the given groups and sections. In March of 1951 the National Education Commission of the Communist Party, in New York, together with Art Bary and Prof. Alberto Moreau, organized the National Mexican cadre school, which was held in Los Angeles, Calif. There in attendance were the ideological teacher, Prof. Alberto Moreau from the Jefferson School in New York City, and Art Bary, the political teacher.

Mr. ARENS. Can you tell us the names of people who were in attendance at the school?

(Representative Velde left the hearing room.)

Mr. DURAN. In attendance at this National School from California were Frances Flores Lynn, the Communist Party leader of Los Angeles, the new labor leader in the Los Angeles area, Ralph Quadron, and a Mexican youth by the name of Munz, M-u-n-z.

Mr. ARENS. Do you recall his first name?

Mr. DURAN. I do not. I am sorry. From the New Mexico area were Mr. and Mrs. Zipriano Montoya, officials of the International Union of Mine, Mill, and Smelter Workers—

Mr. ARENS. Could you spell those names for us, please?

Mr. DURAN. Yes, sir; Zipriano, Z-i-p-r-i-a-n-o; Montoya, M-o-n-t-o-y-a.

From Silver City, N. Mex., also a member of the International Union of Mine, Mill, and Smelter Workers, Antonio and Mariana—

Mr. ARENS. Antonio is A-n-t-o-n-i-o?

Mr. DURAN. Yes.

Mr. ARENS. And Mariana?

Mr. DURAN. M-a-r-i-a-n-a. I am sorry, I forgot the last name. From El Paso, Tex., was Augustine Strada, S-t-r-a-d-a. From Colorado were Ysidro Alvarez, Y-s-i-d-r-o A-l-v-a-r-e-z. Martha Correa, and myself?

I would like to go back to Los Angeles on the steelworkers in the Los Angeles area. A man by the name of Larry Alvarez and Ida Alvarez, his wife.

Mr. ARENS. Could you spell that for us?

Mr. DURAN. Last name? A-l-v-e-r-e-z.

Do you want the contents of the school?

Mr. ARENS. Have you completed the membership in the school?

Mr. DURAN. To the best of my recollection at this time.

Mr. ARENS. Was the school open only to comrades of the Communist Party?

Mr. DURAN. The school was organized to where some of the Communists in the Communist Party didn't even know about it. It was only the selected cadre who would come under the special cadre policy adopted at the national Communist convention.

Mr. ARENS. Do you here and now identify each person whom you have just named as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. Yes.

Mr. ARENS. I respectfully suggest, Mr. Chairman, this might be an appropriate time for a short recess.

The CHAIRMAN. Yes. We will recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

Proceed, Mr. Arens.

Mr. ARENS. May I invite your attention to the general area that we were discussing prior to the recess, namely, Communist Party schools which you had an opportunity to attend and report about to the Federal Bureau of Investigation. Is there another school which you attended and, if so, please tell us where and when and who were in attendance?

Mr. DURAN. In 1951 a secret but well-organized Communist Party school was held at the YMCA or YWCA in Estes Park, Colo. It was a 2-week session. The teacher was Art Bary, both politically and ideologically. His helper was Harold Zepelin. Present at the school were Art Bary, Harold Zepelin, Tim Correa, Alfredo Trujillo.

Mr. ARENS. Will you spell that last name for us, please, sir?

Mr. DURAN. Alfredo, A-l-f-r-e-d-o, Trujillo, T-r-u-j-i-l-l-o, and his wife, Julie Blau Trujillo.

Richard Demming, Clarence Slater, Alphonso and Rose Sena, S-e-n-a, Newell Sells, N-e-w-e-l-l S-e-l-l-s, Ed McMullen, and my wife and I.

Mr. ARENS. Do you here and now identify each person you have just named as a person who to your certain knowledge is a member of the Communist Party?

Mr. DURAN. Yes.

Mr. ARENS. Was there another school which you attended?

Mr. DURAN. Yes, sir.

Mr. ARENS. Kindly tell us when and where and who were in attendance.

Mr. DURAN. The school of 1952, organized and held at Evergreen, Colo. The teachers there primarily were Art Bary, and on United States imperialism, Anna Bary. The teacher who was supposed to talk on labor, David Eakins, did not show up. He was scheduled at this school. Present at this school were Art Barry, his wife Anna Bary, Shirley Bramhall, also known as Billie Wellinger, Ann Eakins, Dorothy Aspinwall, Jesus Saucedo and his wife, Judith Saucedo.

An official or member of the International Union of Mine, Mill and Smelter Workers by the name of Lorenzo Torres.

Mr. ARENS. Spell both names, please.

Mr. DURAN. I would spell the first one L-o-r-e-n-z-o Torres, T-o-r-r-e-s. And his wife. I do not know her first name—from the Bayard chapter of Mine, Mill and Smelter Workers. And my wife and I. That is all I recall at this time, sir.

Mr. ARENS. Are there any other Communist Party training schools which you attended during your career in the party?

Mr. DURAN. During the period that I was in the Communist Party there was what you call a news type of education for the leadership where we met in Denver Park in different houses where we would try to refresh our memory from what we had studied. We followed the same guide. We would study the same subjects and try to put them into practice in discussing and also evaluating the development of each Communist cadre.

Mr. ARENS. Before we get into any other organizational activities or undertake to name persons whom you knew as members of the Communist Party and other entities of the apparatus, could you tell us the activities of the Communist Party in this area during your membership? By activities I mean the dynamics of its program, what did it do aside from having its meetings and enlisting and disciplining the comrades.

Mr. DURAN. When I first entered the Communist Party on the Mexican West Side Branch one of the basic understandings which was given to us there was that religion and communism did not go together. We had to have a basic understanding and willingness and determination that there would come a time where we had to give

our lives for the party and we had to be ready for that. The activity that developed from that was merely to bring about the two requirements of a revolution. The activities in the Communist front were directed to create the two requirements which were: One, economic crisis and, two, political crisis. The activity of the Communist Party working within the Mexican community was to agitate the aspirations of the Mexican people in this spontaneous stampede to show the Government was not willing to accept them and it was because capitalism had entered a decadent stage and was now entering a Fascist stage and there was no place for the Mexican people in the capitalist society. Therefore, the answer, for the Mexican people's problems would be a new society, the overthrow of capitalism, and the establishment of the dictatorship of the proletariat.

Mr. ARENS. What was the position of the Communist Party on public issues such as on immigration and your Mexican border problems?

Mr. DURAN. On the immigration question the Communist Party policy was that it was a good issue to get into, a good popular front, and a good way to fight the Federal Government. The entire tactic was to divide the people from the Government and fighting the Government, setting the Government against the people and the people against the Government.

Mr. ARENS. What was the position of the Communist Party on the Walter-McCarran Immigration and Nationality Act?

Mr. DURAN. The Communist Party policy on the Walter-McCarran Act was that it was a Fascist measure and also a good measure which could be utilized as an issue to get popular support.

Mr. ARENS. In the course of your career in the Communist Party did you ever come in contact with Pettis Perry or Abner Green of the American Committee for Protection of Foreign Born?

Mr. DURAN. Abner Green came to Denver on the deportation case of a man from a Chicago labor union by the name of Martinez, and he was asking support for that within the organization. I met Pettis Perry when he was working on the peace question and also the national Mexican question.

Mr. ARENS. Abner Green is a hard-core Communist, is he not?

Mr. DURAN. I do not know him as that.

Mr. ARENS. He was associated with the American Committee for Protection of Foreign Born, was he not?

Mr. DURAN. He was with the Committee for Protection of Foreign Born, yes, sir.

Mr. ARENS. What did the Communist Party do here from the standpoint of undertaking to enlist sympathizers, dupes, and do-gooders, people whom they could control in other organizations?

Mr. DURAN. The tactic that was employed by the Communist Party to cajole innocent people as well as friends of the Communist Party, was to use the united-front tactic, compromising the struggle that they were fighting for by the issues of communism, to go in, for example, and fight for wage increases for the beet workers. The orientation of the Communist Party wasn't worried whether we won or lost the wage increase. It was primarily concerned to make the acquaintance of these workers and establish a Communist Party cell there. Likewise, on the other struggles, rent control, police brutality, and fighting the Un-American House Committee.

Mr. ARENS. You mean the House Committee on Un-American Activities, this committee here?

Mr. DURAN. Yes. Anything that they could win people over. They would use as a tactic in some cases to try to get a prejudgment on the case. This entire philosophy of communism is that they have no respect for American system, the courts, the Congress, the Senate, the FBI, or any other organization that maintains American society. These were to be destroyed and an entirely new system established.

Mr. ARENS. Mr. Duran, you have been at the heart of the Communist conspiracy in this area from 1948 to 1955 and have known the principal operators in this area in the Communist conspiracy. As a patriotic American who has served his country in that capacity in reporting to the Federal Bureau of Investigation, what appraisal can you give this committee and the American people respecting the menace of the Communist Party in this area? Is it just a few crackpots or is it a serious menace to the integrity of this State and Nation?

Mr. DURAN. In applying what I have learned I would say that the American people and the American Government are in worse trouble today than at any one time. The Communists have learned to master their tactics and have learned to popularize them. They have learned to penetrate every form of organization in existence—the Government, the unions, strategic economic points. They have learned to set politicians against each other during a political crisis. Throughout the world as well as here they are trying to create an economic crisis. In essence, I would say that the two prerequisites of the Communist revolution are further developed than at any one time.

The local Communists are no longer working only on issues; they are fighting hand in glove from Moscow down to here. I can see it very plainly. I wish I could explain it thoroughly. My opinion is that there is more danger now than at any other time.

Mr. ARENS. Because there might have been some confusion in the recitation you gave on these schools and other activities, may I read some names to you and see whether you can identify some of these people. If you have already identified them, actually, tell us so.

Virgil Akeson.

Mr. DURAN. Virgil Akeson attended a county Communist Party meeting in the spring of 1951 at the house of Bill Deitrich. Also at the residence of Virgil Akeson, 1124 Victor Street, Aurora, one of the overt acts in the Smith Act trial—a meeting was held in his house in 1952. He participated on that State committee meeting which developed the entire discussion around dialectical materialism.

Mr. ARENS. Virgil Akeson, as we have announced to the press, is under subpoena for appearance tomorrow before this committee. Do you here and now in this open session under oath identify Virgil Akeson as a person who to your certain knowledge was a member of the Communist conspiracy?

Mr. DURAN. Yes, sir; I do.

Mr. ARENS. Will you be here tomorrow in case he wants to look you in the face?

Mr. DURAN. Yes, sir. I would be glad to.

Mr. ARENS. Anthony Morton. He also is under subpoena for appearance tomorrow. Do you know or have you known Anthony Morton?

Mr. DURAN. Anthony Morton—may I tell you how I know him?

Mr. ARENS. Yes.

Mr. DURAN. Anthony Morton was one of the special trained Negroes assigned by the National Committee of the Communist Party to come to Denver and penetrate the Negro community and win a certain leadership there. At the meeting of January 1951 Art Bary reported that this Negro would be coming here and also a Colorado Negro Commission would be established. The Negro who came here was Anthony Morton. He was identified by Art Bary to me as an especially trained Negro who would penetrate the Negro community in Denver.

Mr. ARENS. Do you here and now identify Anthony Morton as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. Yes, sir; I do. Later Anthony Morton was established as head of the Negro commission. He was also put into the State committee as the special representative of the Negro people.

Mr. ARENS. Bernard W. Stern. Did you know him as a Communist?

Mr. DURAN. I had pretty thorough discussions with him but I never attended a closed Communist Party meeting with him.

Mr. ARENS. Morris Wright.

Mr. DURAN. Yes, sir.

Mr. ARENS. Alfredo Montoya, M-o-n-t-o-y-a. Did you know him as a Communist?

Mr. DURAN. You asked me on Morris Wright. Do you want to follow that up?

Mr. ARENS. Just give us the highlights of your knowledge which convinces you that he was a member of the Communist conspiracy.

Mr. DURAN. Morris Wright was discussed in the Mexican section for doing Mexican work in ANMA by Martha Correa, Anna Bary, Jesus Saucedo, and Alfredo Montoya, whether he should be transferred to the Mexican section or be left in the professional section. There was a report that Morris Wright wanted to come into the Mexican section, that he felt it was necessary for him to get the political orientation directly from the Mexican section instead of indirectly from his section.

Mr. ARENS. Do you identify him as a person who to your certain knowledge was a member of the Communist conspiracy?

Mr. DURAN. Yes, sir.

Mr. ARENS. Harold Meier.

Mr. DURAN. Harold Meier at the time I met him was a professor at the Colorado University. He attended the same meetings that Virgil Akeson attended at the house of Bill Deitrich in 1951.

Mr. ARENS. Was that a closed Communist Party meeting?

Mr. DURAN. Yes.

Mr. ARENS. Do you identify Harold Meier as a person who to your certain knowledge was a member of the Communist conspiracy?

Mr. DURAN. Yes. He substituted for Prof. William Gladstone.

Mr. ARENS. Richard Aspinwall.

Mr. DURAN. Richard Aspinwall was a member of the labor committee established by the Colorado Communist Committee.

Mr. ARENS. Do you identify Richard Aspinwall as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. I do. May I interrupt there on Alfredo Montoya?

Mr. ARENS. Yes.

Mr. DURAN. Alfredo Montoya was one of the outstanding Mexican Communists, a member of the National Mexican Commission of the Communist Party, and in 1952 when the national office of ANMA was moved to Denver he had direct contact with Art Bary and Anna Bary to get directives for the organization.

Mr. ARENS. Rudolph Cook.

Mr. DURAN. Rudolph Cook attended the Communist Party meeting at 1421 Mariposa.

Mr. ARENS. When?

Mr. DURAN. In 1952 or 1953.

Mr. ARENS. Was that a closed party meeting?

Mr. DURAN. Yes, sir.

Mr. ARENS. Do you identify him here and now as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. Yes, sir; I do.

Mr. ARENS. Arnold Berkens.

Mr. DURAN. Arnold Berkens was the secret carrier for Art Bary and Anna Bary and was a member of the Communist Party's West Side Jewish section.

Mr. ARENS. Irving Blau.

Mr. DURAN. Irving Blau in the early stages in 1949 attended party meetings where the directive came from Al Goldberg and Art Bary.

Mr. ARENS. Do you here and now identify Irving Blau as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. I do.

Mr. ARENS. David Bramhall, B-r-a-m-h-a-l-l.

Mr. DURAN. David Bramhall was one of the leaders of the labor committee and also attended the county committee meetings of the Communist Party, at the same time as Harold Meier and Virgil Akeson at Bill Dietrich's house.

Mr. ARENS. Do you here and now identify David Bramhall as a person who to your certain knowledge was a member of the Communist Party?

Mr. DURAN. I do.

Mr. ARENS. Shirley Bramhall.

Mr. DURAN. Shirley Bramhall was the instrument of the Communist Party put into the Mexican work to assure the Communist line and avoid deviation, and so on.

Mr. ARENS. Do you without equivocation identify Shirley Bramhall as a Communist?

Mr. DURAN. Yes, sir; I do. Skipping some of the lower positions she held, in 1954 Shirley Bramhall, William Gladstone, and Harold Zepelin met at my house and they would not allow anybody else to sit in because they were the top leadership in this region. Shirley Bramhall was in there with a manila envelope full of money.

Mr. ARENS. Martha Correa you have already identified as a Communist, have you not?

Mr. DURAN. She is a Communist Party leader; yes.

Mr. ARENS. You have identified her in connection with a number of these Communist Party closed schools; is that correct?

Mr. DURAN. That is correct.

Mr. ARENS. Richard Demming, D-e-m-m-i-n-g.

Mr. DURAN. Richard Demming was a member of the Communist labor committee. He was a student at the Estes Park secret school. He is the man who straightened Art Bary on his economic teachings at that school.

Mr. ARENS. Do you identify him here and now as a member of the Communist Party?

Mr. DURAN. I do.

Mr. ARENS. David Eakins.

Mr. DURAN. Dave Eakins, when he left at Eighth and Mariposa in 1952, participated in a meeting with Alfonso Sena, Art Bary, and myself. He substituted for one of the people who was supposed to show up—Art Flores, from Arizona.

Mr. ARENS. Was that a closed Communist Party session?

Mr. DURAN. Yes.

Mr. ARENS. Do you here and now identify David Eakins as a person who to your certain knowledge is a member of the Communist Party?

Mr. DURAN. I do.

Mr. ARENS. Ann Eakins. I assume that is David's wife?

Mr. DURAN. I have already identified Ann Eakins in the Evergreen School, and I identify her again as a Communist.

Mr. ARENS. Jesus Saucedo.

Mr. DURAN. Jesus Saucedo was a student, him and his wife, Judy, at the Evergreen School in 1952. Jesus Saucedo, when I was expelled, was one of the instruments that expelled me, for refusing to lie for the Communist Party. At that time he was chairman of the Mexican section of Denver.

Mr. ARENS. Do you identify him here and now as a member of the Communist Party?

Mr. DURAN. I do.

Mr. VELDE. Mr. Chairman, may I inquire. You have identified a number of Mexicans as members of the Communist Party. Can you tell me how many of those are aliens and how many are citizens? Do you have any knowledge of that?

Mr. DURAN. One of the persons I identified as attending the Los Angeles school, being a Communist and being a noncitizen, was Ysidro Alvarez.

Mr. ARENS. You might spell that name for the Congressman.

Mr. DURAN. Y-s-i-d-r-o A-l-v-a-r-e-z. There were others that had become citizens of the United States.

Mr. ARENS. You mean by naturalization?

Mr. DURAN. Yes, sir.

Mr. ARENS. Judy Saucedo. I have difficulty pronouncing these names, as is quite evident.

Mr. DURAN. Judy Saucedo is the wife of Jesus Saucedo and attended the Evergreen School and also is one of the leading Anglo-Saxon persons of the Communist Party doing Mexican work.

Mr. ARENS. Alfonso Sena.

Mr. DURAN. Alfonso Sena was the chairman of the Mexican section in the latter part of 1949 and the early part of 1950, when I was in the hospital. Later on he became a group captain. In 1950 at the State convention of the Communist Party in Colorado he became a State committeeman. When they reorganized into three systems, he became a secret member of the State board, with Anthony Morton and Harold Zepelin.

Mr. ARENS. State board of the Communist Party?

Mr. DURAN. State board of the Communist Party, yes.

Mr. ARENS. Fred Trujillo, T-r-u-j-i-l-l-o. I believe you have alluded to him but let us make sure that the record is clear.

Mr. DURAN. Alfredo Trujillo was a member of the Communist Party of Denver before he went to Pueblo, Colo. In Pueblo, Colo., he took the leadership away from Maia James and Joe Scherrer. He was also a member of the Colorado Mexican Commission of the Communist Party.

The CHAIRMAN. I would like to ask a question.

Has the National Mexican Commission of the Communist Party a tie with a Communist organization in Mexico?

Mr. DURAN. To my knowledge, sir, there was theoretically a very basic connection there. Art Bary and Anna Bary in the years 1951 and 1952 went on a vacation to Mexico, but knowing the Communists are never inactive I am pretty sure there was some contact. Later there were reports of some of the famous Mexican artists that they met, Communist artists in Mexico, such as Diego Rivera and others. I would say the orientation that was given at different times definitely gave the impression that there was a Communist tie between the Mexican work and the Mexican work in Mexico.

Mr. ARENS. Mr. Chairman, there is one area in which we could question him and it would take but a few minutes to cover it.

Would you care to express yourself to the committee respecting security measures which the Communist conspiracy took during your career in the party?

Mr. DURAN. In 1948 when I entered the Mexican West Side Branch of the Communist Party we were told that no longer would the Communist Party issue membership cards, and that was for security reasons. At all times if we were arrested or questioned we were to deny that we were Communist and at no time were we at liberty to admit Communist membership.

In 1951, prior to the National Mexican Commission meeting of the Communist Party, Anna Bary also stressed again that no Communist can admit at any time that he is a Communist.

In general the security that the Communists took was to investigate all the membership whether or not they had any relatives in the Federal Government or local government or newspapers or radio.

Approximately in 1951 when the top leadership went underground the system was established to where any messages they wanted delivered to the top leadership would be taken to the house of Richard Demming, and Richard Demming in turn would take it to Arnold Berkens, and Arnold Berkens would take it to another carrier outside the city, and that carrier would carry it to where the individuals were at.

In going to meetings we were to make absolutely sure we were not followed by any FBI or newspaper man or any unauthorized person or anybody who did not belong to the group. The members of one group were not to walk together. The meetings that were held were to be organized only in certain houses where not too many meetings were held before.

A complete inspection would be made of the house and, if necessary, names were changed to code names. In our section the membership at first took on numbers, Nos. 1 to 15. When you paid your dues and

got literature you gave a number, no name. At the State convention Anna Bary and Maia James Scherer gave out names such as Bill, Steve, Elizabeth, which were not the original names of those wearing it on the lapel.

Mr. ARENS. What was your Communist Party name?

Mr. DURAN. My party name at this State convention was Steve, given to me by Anna Bary. At Estes Park it was Jose Komero. We took a telephone book and just picked a name there. In the Evergreen school I was Gamboa, G-a-m-b-o-a. In the general correspondence between the top leadership and myself, they wrote to me as either Steve or Gamboa.

The other security precautions that were taken were that we were to travel an entire night around Denver before going to a State committee meeting. One night we started at 7 and we arrived early in the morning at 1124 Victor, which should not have taken us over 45 minutes. We went to every street and checked everything, and then we went to the viaduct and went down on the viaduct and there was a car waiting for us there.

Other security measures that are taken are to change the language of the party, such as comrade, and use reverend or doctor, and not to use the party language itself in discussing the activities.

In reference to the Communist Party and the meeting at 1124 the Communist Party was called the Dodgers, meaning the Brooklyn Dodgers. This was established as a code. The organization we were in was called the basketball team. Other names were given to other organizations. Frankly, it is silly.

The CHAIRMAN. The nickname for the dodgers would probably have been very appropriate.

Mr. ARENS. Are there any other security measures which were taken by the party?

Mr. DURAN. Other items were to check the most basic and political security measures of the Communists, then and I assume now, to check the activity and background of every family. If one does not follow the party line they definitely expose you into being something else.

Mr. ARENS. How about the isolation of one cell from another?

Mr. DURAN. The organization of the national committee's plan on the three systems started in 1948. That was to organize every section and group into three to avoid the Government's proving Communist membership. The Government of the United States needed 2 witnesses to prove the Communist membership of anybody. The groups are organized into three and that cannot be done. It breaks the Government's drive against communism.

Mr. ARENS. Did the members of one cell have information as to the membership of other cells or was the identity kept secret?

Mr. DURAN. The new members didn't know who was Communist or not, but the old members had a pretty good conception of who was and who wasn't.

Mr. ARENS. Does the Communist Party of the United States advocate overthrow of this Government by force and violence?

Mr. DURAN. Yes, sir; it does. We were told at the Estes Park School that the bourgeoisie would not give up what it has very easily, and the only thing the Communist Party feared was the mobility of American finance and the mobility of American military. The struc-

ture of the bourgeoisie instrumentality had to be destroyed and a new one established. That meant that we had to arouse the people to throw them out and we would take over—I mean “we” quoting the Communists.

The destruction of the Army and the Navy, the destruction of the FBI, the destruction of various civilian organizations and basically the destruction of the Government. That is why today you have no respect from the Communists for any Government body or the FBI.

Mr. VELDE. You mentioned a while ago in discussing the security measures taken that if you were arrested or subpoenaed you were not to reveal your Communist Party connection. Did the party give you any instructions with regard to the retention of legal counsel in case you were arrested or subpoenaed?

Mr. DURAN. Yes, sir; in 1951 there was a complete orientation on this. First, prior to that we were supposed to contact Attorney Samuel Menin. There was a conflict there. Later we were supposed to contact Kenneth N. Kripke, attorney-at-law.

Mr. VELDE. I didn't get the last name.

Mr. DURAN. Kenneth N. Kripke.

Mr. ARENS. You are not identifying Samuel Menin as a Communist, are you?

Mr. DURAN. No; I am identifying Kripke as a Communist, though.

The CHAIRMAN. Any questions.

The committee will stand adjourned, to meet tomorrow morning at 10 o'clock.

(Whereupon, at 4:50 p. m., May 15, 1956, the committee was recessed, to reconvene at 10 a. m. the following day, Wednesday, May 16, 1956.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE ROCKY MOUNTAIN AREA—Part 1

WEDNESDAY, MAY 16, 1956

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Denver, Colo.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities reconvened, pursuant to recess, at 10 a. m., in the courtroom of the United States Court of Appeals, Tenth Circuit, Post Office Building, Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania, and Harold H. Velde, of Illinois.

Staff members present: Richard Arens, director; Courtney E. Owens, and W. Jackson Jones, investigators.

The CHAIRMAN. The committee will be in order.

Call your first witness, Mr. Arens.

Mr. ARENS. Mr. Duran, will you kindly resume the stand, please.

TESTIMONY OF BELLARMINO JOE DURAN—Resumed

Mr. ARENS. Before we proceed interrogating you, Mr. Duran, about the specifics of membership of certain people in commissions and conventions of the Communist Party, I invite your attention to an attack against yourself which appears in the morning paper with respect to your income while you were serving as an undercover agent of the Federal Bureau of Investigation. Have you seen that article?

Mr. DURAN. I have seen part of it. I didn't read it all.

Mr. ARENS. While you were serving as an undercover agent for the Federal Bureau of Investigation, did you receive from the agency any money other than expense money?

Mr. DURAN. No.

Mr. ARENS. Was the arrangement between you and the Federal Bureau of Investigation of a highly confidential nature so that you could not, in the interest of serving your country, disclose the relationship which you had with the Federal Bureau of Investigation and your service in the Communist Party?

Mr. DURAN. I know of a person working in the welfare council that was also a leader of ANMA and therefore my relationship with the FBI had to be confidential to the last point.

Mr. ARENS. Mr. Duran, may I invite your attention to this general area of inquiry: First, the State conventions of the Communist Party

of Colorado. I should like to ask you what conventions you attended, where, and who were the principal participants.

Mr. DURAN. The State convention of the Communist Party of Colorado, the latter part of 1950 at 4501 West 7th Avenue, Denver, is the only State convention of the Communist Party that I attended. The chairman of that State convention of the Communist Party, who was used as State chairman, was Alfonso Sena.

Mr. ARENS. Would you spell that last name?

Mr. DURAN. S-e-n-a. The person who told him what to do and when to do it was Harold Zepelin. Present from Boulder, Colo., were Prof. William Gladstone, Newell Sells, a student, and Jack Fink, student.

From Pueblo, Colo., was Warren Fortson, an FBI undercover agent in the Communist Party.

Mr. ARENS. How did you know that?

Mr. DURAN. I learned that after the last Smith Act trial. Alfredo Trujillo, and Maia James Scherrer. There was one other person, but I can't recall who it was. From the Denver area there were Art Bary, Anna Bary, secretary to the State convention, and Martha Correa, Kenneth N. Kripke, attorney at law, Denver, Alfonso Sena, Rose Sena, Beverly and Mike Rose, now in New York City. I can't recall the others at this time, sir.

Mr. ARENS. Did you attend any other State conventions of the Communist Party concerning which you have first-hand information?

Mr. DURAN. Not conventions. I attended State committee meetings, not conventions in themselves.

Mr. ARENS. Can you give us just a brief summary of the State committee meetings and who the principal participants were?

Mr. DURAN. A State committee meeting, in early 1951, where Art and Anna Bary reported the doings of the national convention of the Communist Party in New York City, was held at the residence of Richard Demming, 1421 Mariposa.

Present there were Martha Correa, Tim Correa, Art Bary, Anna Bary, and myself. There were two people there that I have reported on, but I don't recall them at this time.

The official State convention meeting was held at 4501 West 7th, in a semibasement—

Mr. ARENS. When in 1951?

Mr. DURAN. Oh, approximately 2 weeks after the meeting at 1421 Mariposa Street. At this State convention the commissions for the State of Colorado of the Communist Party were established. The labor commission for industrial concentration was developed, and the educational commission was also developed. The educational commission consisted of three members, one Maia James Scherrer, and Anna Bary and another person. On the labor commission, Richard Demming, either Maia or Joe Scherrer from Pueblo. The State commission for the Negro people was tabled until a special agent for the Communist Party arrived, Anthony Morton. The Mexican commission was tabled for the fact that, quoting Anna Bary, the material condition was not present. The women's commission was tabled for the same reason as the last. The youth commission likewise.

At the Communist Party State convention meeting of 1952, spring of 1952, at the 1124 Victor Street address, the residence of Virgil Akeson, one of the overt acts in the Communist conspiracy trial in

Denver, present were Anna aBry, official chairman, and taking over the chairmanship of that meeting because of Anna Bary's report in party dictation, Maia James Scherrer chaired that meeting. Present were Anthony Morton, Alfonso Sena, Warren Fortson, Harold Zeppelin, Martha Correa. There was the entire State committee, with the addition of a few appointed State committee members, Martha Correa and Anthony Morton, and one of the missing appointees to the State committee, Rose Sena.

I am missing two meetings of the State convention that I can't clearly recall at this time, but that is the latest composition of the Colorado State Committee of the Communist Party.

From the floor: I represent one of these witnesses, and I can't hear the names that he gives. I would like to ask that he speak up a little louder. If he would speak up louder I think we could hear these names as they are called off.

Mr. ARENS. As of what date was that?

Mr. DURAN. The last State committee meeting?

Mr. ARENS. Yes.

Mr. DURAN. In the spring of 1952.

Mr. ARENS. Now may I invite your attention to an organization known as the West Side Fair Play Committee and ask you what you know about that organization.

Mr. DURAN. The West Side Fair Play Committee was an organization which to my knowledge was started in sincerity of a mother trying to defend her son against police brutality. The Communist Party of Denver heard about it and entered the case. When I heard about it Virgil Akeson, of the Mine, Mill and Smelter Workers Union was active in it. Morris Wright was active in it, Alfredo Montoya, of the Mine-Mill was active in it, Alfonso and Rose Sena were active, and Jesus and Judith Saucedo were active in it. These people I have identified before as members and leaders of the Communist Party.

In 1954-55 there was a meeting to disband ANMA. A Communist Party meeting was called. Present at this meeting were Alfredo Montoya, Martha Correa, Alfonso Sena, Morris Wright, and myself. Immediately after that Harold Zepelin, early in 1954, instructed me as member of the Communist Party to penetrate the West Side Fair Play Committee and that I was released from my ANMA duties and therefore it would be my main responsibility directly to the party to develop the juvenile delinquency issue and fight the police in the West Side Fair Play Committee.

The directive from Harold Zepelin, and I quote him, was that it is time that the members of the Communist Party start fighting other individuals and organizations, and direct their fight against the government locally, either State or Federal. Our responsibility was to fight the Denver Police Department as part of that tactic of fighting the Government, to set the Denver Police Department against the people and the people against the police department.

The activities of the West Side Fair Play Committee were outright controlled and dictated by the Communist Party, and by that I mean this: There were people there who wanted other activities other than just juvenile delinquency and fighting against the police. They didn't want to fight against the police. The Communists in there were less in number than the active people, but they would combine and bom-

bard these people with their propaganda until they convinced them that they should fight the police.

In Denver, Colo., a Communist by the name of Martha Correa witnessed a policeman beating a Spanish-American man. I cannot testify whether he was in the wrong or not. I do not know the situation. She raised it. This man said he was wrong, and he wanted to forget about it. Later on the members of the Communist Party of Colorado convinced this man to sue Officer Burke, of the Denver Police Department for \$45,000. This was continuously agitated to divide the people from their local government and specifically within the police department. That is the general activity of the West Side Fair Play Committee.

Mr. ARENS. Now may I invite your attention to another area of inquiry and ask you if you will first of all identify the production, Salt of the Earth?

Mr. DURAN. To my direct knowledge Salt of the Earth represents more than it appears to represent.

Mr. ARENS. What is Salt of the Earth?

Mr. DURAN. Salt of the Earth is a moving picture that was made from the strike of Local 890 of the Mine, Mill and Smelter Workers in the Bayard area of New Mexico, and the outstanding person in that role, Mariana Ramirez, was a student at the Los Angeles School for National Cadres. She is the one woman who took the strike away from the men and turned it into a women's picket line. From Denver, Colo., Morris Wright was assigned to go there and give a socialist content to the thing.

Mr. ARENS. Identify Morris Wright.

Mr. DURAN. Morris Wright, if I have not identified him before in the record, I do now as a member of the Communist Party. Later when the picture came out and came to the Denver area Morris Wright took responsibility of hiring a place to show the picture, Salt of the Earth. In the Communist Party the analysis of Salt of the Earth was that it was a popularized way to get to the masses the class struggle. There was more to it, but that was the main essence of it, that you could get across the class struggle through pictures like Salt of the Earth.

Mr. ARENS. Will you give us, if you please, Mr. Duran, a little further identification of Janet Stern, S-t-e-r-n.

Mr. DURAN. Janet Stern, the wife of Bernard W. Stern, official of Mine-Mill, was a Communist member of the Mexican section of Denver, Colo. She was also an active secretary of the West Side Fair Play Committee. She was one who would influence the chairman's orientations and board decisions.

Mr. ARENS. Paul Kleinbord. Just a little further identification of him, please, sir.

Mr. DURAN. Paul Kleinbord was a student at the Communist Party sessions at the Ute Ranch in 1949. He also was the captain of a group studying Marxism and the national question at the B & E Chicken Inn in Denver in 1949. In 1949 he was also one who would give directives to Jane Rogers to give to the East Side Mexican Branch.

Mr. ARENS. Al Hilliard, H-i-l-l-i-a-r-d.

Mr. DURAN. Al Hilliard, from Denver, was a member of the Mexican Section assigned by the State board to aid the Mexican work at

the same time that Shirley Bramhall, Patricia Bramhall, and Kenneth N. Kripke were assigned as special agents.

Mr. ARENS. Katherine Bardwall, B-a-r-d-w-a-l-l.

Mr. DURAN. Katherine Bardwall, an office employee of Mine-Mill, was a member of the Communist Party. She attended the meeting of the first Negro commission at 1421 Mariposa Street, which Anthony Morton chaired.

Mr. ARENS. Joey Gonzales.

Mr. DURAN. Joey Gonzales in the latter part of 1951 rejected for security reasons and suspected surveillance of FBI to meet with Art Bary. He said it was insecure and he would not do it; he had his place and that he would stick to it.

Mr. ARENS. Did you know him as a Communist?

Mr. DURAN. I knew him then because he criticized very severely some of the Denver members approaching him to go to Communist meetings. He said he had his place and it had to come through there and that is all.

Mr. ARENS. Do you know where he is located; in what city?

Mr. DURAN. Yes; in El Paso, Tex.

Mr. ARENS. Mrs. John Loumis, L-o-u-m-i-s.

Mr. DURAN. Yes; from Salt Lake City.

Mr. ARENS. Identify her, please.

Mr. DURAN. Mrs. John Loumis from Salt Lake City gave me a report that she was running a restaurant for the Communist Party in Salt Lake City and she had come to Denver to turn the money in. Mrs. John Loumis turned the money in to Martha Correa or Anna Bary. I asked her was it at least a thousand dollars and she said quite a bit more than that. I said how come the restaurant was run for the party instead of her own, and she said that was none of my business, that is the way it was arranged. She said there were others like that.

Mr. ARENS. Vincent Vigil. How do you spell that last name?

Mr. DURAN. V-i-g-i-l.

Mr. ARENS. Where is he located and what do you know about him?

Mr. DURAN. The last time I could find out about where he was, he was in Fraser, Colo. Vincent Vigil was a member of the Communist Party. He attended West Side Mexican Branch meetings once or twice. I don't recall the date but at the meeting held at 3360 Humboldt Street in Denver, the restaurant of Betty Correa, he reported extensively there to me his trip, that Art Bary and Vince Craig from Taos, N. Mex., were extremely chauvinistic, that he was going out of the party, that they had a meeting and threw him out without hearing his side at all, that Craig should be expelled from the party as well as Art Bary.

Mr. ARENS. Just in passing, when you say they threw him out without any hearing, was there any democratic procedure within the Communist operation that you could observe?

Mr. DURAN. No, sir. In fact, in 1951 we had a report that the Communist Party had entered a revolutionary stage and it would operate with less democracy. It was read from the Communist Party of the Soviet Union.

Mr. ARENS. Is there any other item of information respecting the Communist apparatus in the area here which we have not interrogated you about and which you would like to bring to the attention of the committee?

Mr. DURAN. I wanted to hit on two specific points of the thing that we were developing then and have developed into reality now. That was to use religion and to attack the Government witness as attacking the Government from the bottom up. I think it was very self-evident that the statement that came out from the press cannot be backed up by facts. I have facts.

Mr. ARENS. That concludes the staff interrogation of this witness, Mr. Chairman.

The CHAIRMAN. Any questions?

Mr. VELDE. No, none except that I would like to congratulate you, Mr. Duran, on your very fine testimony and the very fine work you did for your country during the time you served as an undercover agent for the FBI.

The CHAIRMAN. Mr. Duran, you are excused with the thanks of this committee and of the Congress of the American people. You have made a fine contribution. I am sure that those who have heard you are thoroughly convinced of the integrity and the honesty and sincerity of the position you have taken and of your testimony.

You are excused from the subpoena, Mr. Duran.

Call your next witness.

Mr. ARENS. Mr. Virgil Akeson.

Mr. Akeson, please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. AKESON. I do.

TESTIMONY OF VIRGIL AKESON; ACCOMPANIED BY COUNSEL, NATHAN WITT

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. AKESON. Virgil Akeson, 951 Lowell Boulevard.

Mr. ARENS. Would it be convenient for you to raise your voice a little bit?

Mr. AKESON. I am employed by the International Union of Mine, Mill, and Smelter Workers.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. AKESON. Yes; I am.

Mr. ARENS. Are you represented by counsel?

Mr. AKESON. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. WITT. Nathan Witt, post office box 156, New York 23, N. Y.

Mr. ARENS. What is your employment, please, Mr. Akeson, with the International Union of Mine, Mill, and Smelter Workers?

Mr. AKESON. I am a secretary.

Mr. ARENS. Employed where?

Mr. AKESON. At the national office.

Mr. ARENS. Where?

Mr. AKESON. 412 Tabor Building.

Mr. ARENS. In Denver?

Mr. AKESON. Yes, sir.

Mr. ARENS. How long have you occupied that position?

Mr. AKESON. I have been here for 5 years.

Mr. ARENS. Mr. Akeson, give us just a word of your personal background. Where were you born?

Mr. AKESON. I was born in Minnesota.

Mr. ARENS. Give us a word about your education, please, sir.

Mr. AKESON. High school, a graduate of high school.

Mr. ARENS. When did you complete your high-school education?

Mr. AKESON. About 1925.

Mr. ARENS. Did you pursue your education any further or did that complete your formal education?

Mr. AKESON. Practically; yes.

Mr. ARENS. Now tell us, if you please, in sequence the various employments which you have had since you completed your formal education, with the exception of any menial jobs which a youngster might have, such as an errand boy or anything of that character. Tell us any of the principal employments which you have had since you completed your education.

(The witness conferred with his counsel.)

Mr. AKESON. I was employed for a short time by Oliver Mill & Mining Co. in Duluth, Minn., when I came out of high school.

Mr. ARENS. What was the nature of the employment?

Mr. AKESON. Front-office worker. And for a while I worked for the Government in the Post Office Department.

Mr. ARENS. Did that immediately succeed the employment which you first recounted?

Mr. AKESON. Yes.

Mr. ARENS. Where did you work for the Post Office.

Mr. AKESON. In Washington, D. C.

Mr. ARENS. When was that?

Mr. AKESON. That was in about 1927. Then I worked for a bit in New York for the Standard Oil Co. as code clerk.

Mr. ARENS. When was that, please?

Mr. AKESON. That was in 1928, I think 1929. Then I went to farming for several years after that, until about 1940 I went back to Washington as a clerk in the Treasury Department.

Mr. ARENS. Do you recall who got you the job in the Treasury?

Mr. AKESON. No. I just took an examination and was employed. After the Government I worked for the union practically all the time after that.

Mr. ARENS. When did you conclude your service in the Government?

Mr. AKESON. Oh, some time in 1941.

Mr. ARENS. Were you then employed in the Treasury Department?

Mr. AKESON. No, sir. I was employed in the War Department at that time.

Mr. ARENS. When did you move from the Treasury Department into the War Department?

Mr. AKESON. The end of 1940, some time like that.

Mr. ARENS. In what capacity did you serve in the War Department?

Mr. AKESON. As a secretary.

Mr. ARENS. To whom?

Mr. AKESON. Well, there was a Captain Rogers of the Safety Division.

Mr. ARENS. Was the Safety Division within the Pentagon or within the War Department at the time?

Mr. AKESON. No. It was in a temporary building at the time.

Mr. ARENS. Did that conclude your Government service with the War Department in 1941?

Mr. AKESON. Yes.

Mr. ARENS. Now tell us what your employment was as soon as you concluded your employment with the War Department in 1941? What was your next job?

Mr. AKESON. My next job was with the Mine, Mill, and Smelter Workers.

Mr. ARENS. Where was that?

Mr. AKESON. In Washington, in the legislative office—the Washington office.

Mr. ARENS. When was that?

Mr. AKESON. That was at the beginning of 1942.

Mr. ARENS. Who was your immediate superior?

Mr. AKESON. Mr. Riskin.

Mr. ARENS. His first name?

Mr. AKESON. Benjamin.

Mr. ARENS. What was his post or assignment or office?

Mr. AKESON. He was at the time the research director.

Mr. ARENS. Who else was employed there in the Washington office whose name comes to your mind?

(The witness conferred with his counsel.)

Mr. AKESON. Mrs. Jessica Rhine.

Mr. ARENS. How does she spell the last name?

Mr. AKESON. R-h-i-n-e.

Mr. ARENS. All right, sir. Anyone else employed in the Washington office of the international?

Mr. AKESON. No; not at that time.

Mr. ARENS. How long did you serve there in the Washington office of the International Union of Mine, Mill, and Smelter Workers?

Mr. AKESON. Oh, approximately until the end of 1956.

Mr. WITT. He must have misspoken himself.

Mr. AKESON. 1946.

Mr. ARENS. Did you occupy the same post all of the time until 1946?

Mr. AKESON. Yes. I maintained the office.

Mr. ARENS. What were your duties?

Mr. AKESON. They were various, most of the time just a secretary.

Mr. ARENS. Were you in the legislative section?

Mr. AKESON. It was the Washington office of the international union.

Mr. ARENS. Did the Washington office have as part of its operation legislative duties?

Mr. AKESON. Yes.

Mr. ARENS. To make representations to the Congress and its committees?

Mr. AKESON. Yes.

Mr. ARENS. Did you participate in that work?

Mr. AKESON. Yes, sir.

Mr. ARENS. Can you tell us who your next boss or superior was after Mr. Riskin?

Mr. AKESON. I think it was a gentleman by the name of E. D. Church for a while. I was alone part of the time.

Mr. ARENS. I beg your pardon?

Mr. AKESON. I was alone there part of the time.

Mr. ARENS. Did Mr. Church have a successor during your employment?

Mr. AKESON. Yes.

Mr. ARENS. What was his name?

Mr. AKESON. Mr. Rasmussen.

Mr. ARENS. His first name?

Mr. AKESON. Ralph.

Mr. ARENS. Then do I understand you correctly that you were transferred or assigned from the Washington office out to the Denver area; is that correct?

Mr. AKESON. No, sir.

Mr. ARENS. What was your next assignment within the International Union of Mine, Mill, and Smelter Workers after the conclusion of your work in Washington in 1946?

Mr. AKESON. I was moved to Chicago, Ill.—the national office.

Mr. ARENS. In what capacity?

Mr. AKESON. General office worker.

Mr. ARENS. That was in 1946?

Mr. AKESON. Wait a minute.

Mr. ARENS. I don't want to confuse you. Did you go directly from Washington to Chicago?

Mr. AKESON. Yes.

Mr. ARENS. You have testified you were in Washington until 1946.

Mr. AKESON. I am not sure that is correct. It might have been in January of 1946.

Mr. ARENS. It is your best recollection it was either in 1946 or 1947; is that true?

Mr. AKESON. Yes.

Mr. WITT. May I advise the witness to wait until counsel finishes. If counsel is talking you had better let him finish. Otherwise the reporter can't get it.

Mr. ARENS. Who was your superior there?

Mr. AKESON. Frankly, I don't know.

Mr. ARENS. Who was head of the office?

Mr. AKESON. I think it was the secretary to the treasurer.

Mr. ARENS. Who was head of the office?

Mr. AKESON. I think Mr. Travis was head of it.

Mr. ARENS. Maurice Travis?

Mr. AKESON. Yes.

Mr. ARENS. What post did Mr. Travis occupy?

Mr. AKESON. He was secretary-treasurer of the international.

Mr. ARENS. Did Mr. Travis have any other associates there in the office besides yourself in Chicago?

Mr. AKESON. We had quite a number on the staff; yes. I can't remember exactly how many.

Mr. ARENS. Can you name some of the other employees there?

(The witness conferred with his counsel.)

Mr. WITT. May I advise the witness if he doesn't remember to say he doesn't remember, but if he remembers, say so.

The CHAIRMAN. Just the best of your recollection.

Mr. AKESON. The best of my recollection of the staff at the time was Mr. Sanderson, Mr. Stern, Mr. Wright. There were a number of people—

Mr. ARENS. You say Mr. Stern was there?

Mr. AKESON. Yes.

Mr. ARENS. What was his full name?

Mr. AKESON. Bernard W. Stern.

Mr. ARENS. And Mr. Sanderson; was that Harold C. Sanderson?

Mr. AKESON. Yes, sir.

Mr. ARENS. He was employed there.

All right, sir; how long did you continue in your employment in Chicago?

Mr. AKESON. Until the national office moved to Denver.

Mr. ARENS. When was that?

Mr. AKESON. The end of January 1951.

Mr. ARENS. Then you have been in the Denver office ever since?

Mr. AKESON. Yes, sir.

Mr. ARENS. Now can you tell us who is in the Denver office?

(The witness conferred with his counsel.)

Mr. AKESON. Mr. Sanderson, Mr. Stern, Mr. Dolan, Mrs. Johnson—

Mr. ARENS. By Dolan, you mean Graham Dolan?

Mr. AKESON. Yes, sir.

Mr. ARENS. Sanderson is Harold C. Sanderson, the same gentleman who was in Chicago?

Mr. AKESON. Yes, sir.

Mr. ARENS. And Bernard W. Stern, the same man who was in Chicago?

Mr. AKESON. Yes, sir.

Mr. ARENS. Who is in charge of the Denver office?

Mr. AKESON. Mr. Sanderson is the office manager.

(The witness conferred with his counsel.)

Mr. ARENS. What are your duties in the operation of the Denver office?

Mr. AKESON. I am secretary to Mr. Sanderson.

Mr. ARENS. By secretary do you mean you take shorthand and do typing?

Mr. AKESON. Yes; and various other things in the office.

Mr. ARENS. Is there any employment of any consequence that you haven't told us about?

Mr. AKESON. Nothing of any importance, of any length. As I remember, I worked for some kind of sheet-metal plant for a brief time in about 1936, I think. Oh, then I did work for about 6 months out in eastern Oregon for a game and bird refuge, biological survey, for about 6 months. I had forgotten that.

Mr. ARENS. How many members are there in the International Union of Mine, Mill, and Smelter Workers?

(The witness conferred with his counsel.)

Mr. WITT. If you know.

Mr. AKESON. I couldn't actually tell you.

Mr. ARENS. What is your best judgment, your best approximation as to the membership? You have been in the organization for a number of years.

Mr. WITT. But if you don't know, say you don't know.

Mr. AKESON. Frankly, I don't know.

Mr. ARENS. Would it be as many as 25,000?

Mr. WITT. Counsel, he wouldn't be in a position to know accurately. I would be glad to answer that question for you if you want me to, but he wouldn't be in a position to know.

Mr. ARENS. Do you know a person by the name of Mrs. Dorothy Funn, F-u-n-n?

(The witness conferred with his counsel.)

Mr. AKESON. I will invoke my privilege under the fifth amendment on that question.

The CHAIRMAN. By that you mean you will not answer the question?

Mr. AKESON. I decline to answer the question.

The CHAIRMAN. All right.

Mr. ARENS. Mrs. Dorothy Funn testified under oath before this committee that she knew you as a member of the Communist conspiracy. Was she lying or was she telling the truth?

Mr. AKESON. I will invoke my privilege under the fifth amendment.

Mr. ARENS. Mrs. Mary Markward testified before this committee under oath that she knew you as a member of the Communist conspiracy. Was she lying or was she telling the truth?

Mr. AKESON. I will invoke my privilege on the same grounds, fifth amendment.

Mr. ARENS. Would you look over there up against the wall and see the gentleman who just preceded you to the witness stand. Would you please stand up, Mr. Duran? Do you recognize that man?

Mr. AKESON. I will have to invoke my privilege under the fifth amendment on the same grounds.

Mr. ARENS. Do you feel—

The CHAIRMAN. Just a moment. You said "I will have to." You are not under any compulsion.

Mr. AKESON. I do, yes, I do invoke my privilege.

Mr. ARENS. This man who is standing there facing you testified under oath before this committee in the course of the last day or so and identified you as a person who to his certain knowledge was a member of the Communist Party. Was he lying or was he telling the truth?

Mr. AKESON. I will invoke my privilege on the same grounds.

Mr. ARENS. Do you honestly apprehend that if you told this committee whether or not you know the gentleman standing there you would be supplying information which might be used against you in a criminal proceeding?

Mr. AKESON. I will invoke my privilege.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer that last principal question.

The CHAIRMAN. You are directed to answer the question, Mr. Akeson.

(The witness conferred with his counsel.)

Mr. AKESON. I have consulted my counsel on this score, and I understand that it is my privilege under the fifth amendment to decline to answer that question.

Mr. ARENS. Do you understand the question which is pending?

The CHAIRMAN. And you therefore do decline?

Mr. AKESON. I do decline.

Mr. ARENS. The question which is pending is with reference to whether or not you honestly apprehend that if you answer these questions we are posing to you you might be supplying information which might be used against you in a criminal proceeding. You understand that is the question which you are declining to answer?

Mr. AKESON. Yes.

Mr. ARENS. Have you ever been a member of the Washington Committee for Democratic Action?

(The witness conferred with his counsel.)

Mr. AKESON. I will claim the privilege to that question.

Mr. ARENS. I put it to you as a fact that you were a member of the Washington Committee for Democratic Action. Are you now a member of the Communist conspiracy?

Mr. AKESON. I will invoke my privilege under the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you are a member of the Communist conspiracy and are presently under Communist discipline.

Mr. WITT. He hasn't asked you a question.

Mr. ARENS. I ask you to affirm or deny that assertion.

(The witness conferred with his counsel.)

Mr. AKESON. I will claim the privilege on that question.

Mr. ARENS. During the course of your employment by the International Union of Mill, Mine and Smelter Workers, have you performed in your work at the instance and control of the Communist conspiracy?

Mr. AKESON. I will invoke my privilege under the fifth amendment and decline to answer that question.

Mr. ARENS. Have you ever denied to the membership of the International Union of Mine, Mill and Smelter Workers that you are or have been a member of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. AKESON. I have never had occasion to be asked that question as far as that is concerned.

Mr. ARENS. You recognize now, do you not, Mr. Akeson, that you are under oath, subject to the pains and penalties of perjury if you lie to this committee. You recognize that fact, do you not?

Mr. AKESON. I do.

Mr. ARENS. Do you intend to leave this committee room when you are relieved from the pains and penalties of perjury, released from your obligation of your oath, and tell the members of the press "Of course I am not a Communist. I have never been a Communist"?

(The witness conferred with his counsel.)

Mr. AKESON. My answer to that is that I do not believe that there will be any occasion that any such thing will be brought up.

Mr. ARENS. You have recited here the names of a number of your colleagues and associates in the International Union of Mine, Mill and Smelter Workers. Can you tell us whether or not to your certain knowledge Bernard W. Stern is a member of the Communist conspiracy?

Mr. AKESON. I claim the privilege and decline to answer that question.

Mr. ARENS. Can you tell us whether or not to your certain knowledge Harold C. Sanderson is a member of the Communist conspiracy?

Mr. AKESON. I decline to answer that question on the same grounds.

Mr. ARENS. Can you tell us whether or not to your certain knowledge Graham Dolan is a member of the Communist conspiracy?

Mr. AKESON. I decline to answer that question on the same grounds.

Mr. ARENS. Can you tell us whether or not to your certain knowledge Maurice Travis is a member of the Communist conspiracy?

Mr. AKESON. I will decline to answer that on the same grounds.

Mr. ARENS. We have no further questions of this witness, Mr. Chairman.

The CHAIRMAN. Have you any questions?

Mr. VELDE. No questions, Mr. Chairman.

The CHAIRMAN. The witness is excused.

I think we will take a 5-minute break at this time. The committee will be in recess for 5 minutes.

(Brief recess.)

(Members of the committee present: Representatives Walter and Velde.)

The CHAIRMAN. The committee will be in order.

Call your next witness.

Mr. ARENS. Anthony Morton.

Remain standing while the chairman administers the oath to you, please.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MORTON. I do.

TESTIMONY OF ANTHONY MORTON; ACCOMPANIED BY COUNSEL, WENDELL A. PETERS

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. MORTON. My name is Anthony Morton. I live at 3435 Marion Street, Denver, Colo. I work for the International Union of Mine, Mill, and Smelter Workers.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MORTON. Yes.

Mr. ARENS. Are you represented by counsel?

Mr. MORTON. Yes.

Mr. ARENS. Will counsel kindly identify himself?

Mr. PETERS. Wendell A. Peters, 2130 Downing Street, Denver, Colo.

Mr. ARENS. What is your job with the International Union of Mine, Mill and Smelter Workers?

Mr. MORTON. I am in charge of the mailing list of the union paper which comes out monthly and goes to the membership.

Mr. ARENS. What is the name of the paper?

Mr. MORTON. The Mine-Mill Union.

Mr. ARENS. Where were you born?

Mr. MORTON. I was born in the South.

Mr. ARENS. Where in the South, what State?

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Counsel, could I say a word before I answer that question?

Mr. ARENS. Can't you just tell us where you were born?

The CHAIRMAN. Answer the question. Where were you born?

Mr. MORTON. I want to say I was born in the South.

Mr. ARENS. What State were you born in in the South?

Mr. MORTON. I am not sure that I can tell you the status of the possible danger to myself.

The CHAIRMAN. All right, then. We will omit it. It doesn't make any difference. Go ahead, Mr. Arens.

Mr. ARENS. Give us, if you will, a brief sketch of the employments which you have had since you reached adulthood.

Mr. MORTON. I have worked on the railroad.

Mr. ARENS. What railroad and when, please.

Mr. MORTON. St. Louis Southwestern.

Mr. ARENS. When?

Mr. MORTON. Back in the twenties.

Mr. ARENS. In what capacity?

Mr. MORTON. Extra gang, taking up 25-pound steel to the foot and laying 95-pound steel to the foot.

Mr. ARENS. How long did you occupy that job?

Mr. MORTON. I don't remember exactly, but I think it was 9 or 10 months on that particular job.

Mr. ARENS. All right, your next job.

Mr. MORTON. Sawmill work in the South.

Mr. ARENS. About how long did you have that job?

Mr. MORTON. This job was off and on between farm work and seasonal work. I worked at a sawmill.

Mr. ARENS. Your next job?

Mr. MORTON. Various menial jobs.

Mr. ARENS. All right, your next principal job?

Mr. MORTON. I never really had a principal job. The jobs were mostly menial, you know from time to time, where I could get them. Chauffeuring, waiting tables, portering, roofing companies.

Mr. ARENS. That has been your principal occupation most of your life, just odd jobs?

Mr. MORTON. Odd jobs. I couldn't get hired on these other jobs.

Mr. ARENS. How long have you been employed by the International Union of Mine, Mill, and Smelter Workers?

Mr. MORTON. About 3 years.

Mr. ARENS. Where has the location of your employment been?

Mr. MORTON. At Tabor Building here in Denver.

Mr. ARENS. The last 3 years?

Mr. MORTON. About 3 years. I went to work there in January 1954.

Mr. ARENS. Where were you employed immediately prior to the time that you were engaged here in Denver?

Mr. MORTON. You mean in Denver?

Mr. ARENS. No. Where were you employed prior to the time that you became employed for the International Union of Mine, Mill, and Smelter Workers?

Mr. MORTON. I wasn't employed immediately prior to my being—

Mr. ARENS. What was your last job prior to the job that you now occupy?

Mr. MORTON. I was driving for the nursery school, chauffeuring, a taxi service for a nursery school here in Denver.

Mr. ARENS. What city did you live in prior to the time that you moved to Denver?

Mr. MORTON. Brooklyn, N. Y.

Mr. ARENS. How long did you live in Brooklyn?

Mr. MORTON. About 10 years.

Mr. ARENS. Was that immediately prior to the time that you came to Denver?

Mr. MORTON. Yes.

Mr. ARENS. Where did you live just prior to the time that you were in Brooklyn?

Mr. MORTON. In Harlem.

Mr. ARENS. How long did you live in Harlem?

Mr. MORTON. About 6 years, approximately. I am not giving an exact figure because I don't remember it exactly.

Mr. ARENS. How did you happen to get your job with the International Union of Mine, Mill, and Smelter Workers out here in Denver from New York, when you worked there in New York? Can you help us on that?

Mr. MORTON. I didn't get the job from New York to here. I went to that job as a replacement after my wife got injured, who worked there prior to my employment.

Mr. ARENS. What is your wife's name?

Mr. MORTON. Miriam.

Mr. ARENS. What job did you have in Denver immediately prior to the time that you were with the International Union of Mine, Mill, and Smelter Workers?

Mr. MORTON. I was driving a taxi service for the Jewish schools, delivering children to and from school here in Denver.

Mr. ARENS. Have you ever lived in Chicago?

Mr. MORTON. Yes, I lived in Chicago.

Mr. ARENS. When did you live in Chicago?

Mr. MORTON. I don't quite understand your question.

Mr. ARENS. When did you live in Chicago?

Mr. MORTON. You mean when I first lived there or when I left there?

Mr. ARENS. When were the periods of your residency in Chicago? What years were you there?

Mr. MORTON. I was there from 1929 through around 1936.

Mr. ARENS. Did you have just these menial jobs there in Chicago during that period of time?

Mr. MORTON. That is right, washing dishes, wherever I could get a job.

Mr. ARENS. Is that the only period of time that you lived in Chicago?

Mr. MORTON. That is correct.

Mr. ARENS. Tell us some of the extracurricular work in which you were engaged while you were in Chicago up until 1936, wasn't it, that you moved from Chicago?

Mr. MORTON. That I did what?

Mr. ARENS. In 1936 you moved from Chicago?

Mr. MORTON. To or from?

Mr. ARENS. From Chicago.

Mr. MORTON. That is right.

Mr. ARENS. You moved from Chicago then to New York; is that correct?

Mr. MORTON. Yes, sir.

Mr. ARENS. What were some of the extracurricular activities that you did in addition to the menial jobs which you had in Chicago up until 1936?

Mr. MORTON. I don't quite understand what you mean by extracurricular employment.

Mr. MORTON. I still don't understand what you mean by on the side.

Mr. ARENS. Did you belong to any organizations there in Chicago?

Mr. MORTON. What organizations?

Mr. ARENS. You tell me what organizations you might have belonged to in Chicago up until 1936, if you recall.

Mr. MORTON. I can't answer that question unless you make it more specific.

Mr. ARENS. I have here a photostatic copy of a document, which I will mark now "Morton Exhibit No." for identification. I will ask you if this refreshes your recollection. You are Tony Morton. You have been known as Tony Morton, have you not, all through your life?

Mr. MORTON. I gave my name as Anthony Morton.

Mr. ARENS. Have you also been known as Tony Morton?

Mr. MORTON. I am known by my name, which is Anthony Morton.

Mr. ARENS. Have you also been known and called Tony Morton?

Mr. MORTON. I stick by the answer I just gave you.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be ordered and directed to answer that question as to whether or not he has been known as Tony Morton.

The CHAIRMAN. Yes, you can answer that question.

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Counselor, my answer to you is how other people know me or address—

Mr. ARENS. Have you ever been called Tony Morton?

Mr. MORTON. I have never called myself Tony Morton.

Mr. ARENS. Have you ever been called; I didn't say, "Do you call?" Have you been called Tony Morton?

Mr. MORTON. Well, perhaps people have called me Tony Morton.

Mr. ARENS. Did you ever hear anybody call you that?

Mr. MORTON. Sure, I have heard people address me.

Mr. ARENS. The answer is "Yes."

I would like to lay before you this Morton Exhibit 1, in response to this area of inquiry respecting any outside activities you may have had while you were in Chicago in 1936. It is a document of the Young Communist League of America of 1937, describing a "Tony Morton, Harlem division organizer, YCL, joined YCL in Chicago where he was long active, a champion sprinter, knows how to mix hard work with pleasure, speaks Russian quite well, likes to sing."

I ask you to look at that little article and see if that might refresh your recollection or prompt your memory as to what might have been some of your extracurricular activities in Chicago up until about 1936 or 1937 when you moved to New York. Maybe you can help us on that.

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Counselor, it is hard for me to determine whether you are asking me a question or whether you are making a statement to me and asking me to comment.

Mr. ARENS. Just answer whether or not that prompts your recollection, that little article I just laid before you, as to any activities in which you may have been engaged in Chicago.

(The witness conferred with his counsel.)

Mr. MORTON. It strikes me, puzzles me as to why this has anything to do with the purpose of inquiry.

Mr. ARENS. Well, answer the question anyhow. Just tell us whether or not this document which I have just laid before you, excerpts from which I have just read to you, does prompt your recollection as to any activities of an extracurricular variety in which you may have been engaged while you were in residence there in Chicago.

Mr. MORTON. I still would like to know—

The CHAIRMAN. Answer the question, please. We will determine whether or not it is relevant.

(The witness conferred with his counsel.)

Mr. MORTON. My answer to that is that it does not prompt any recollection to my mind as to the pertinency of the question which you ask.

Mr. ARENS. Let's be a little more specific then. Perhaps I can help you. This says, "Tony Morton, Harlem division organizer, YCL, joined YCL in Chicago." You have told us that you have been known as Tony Morton. Perhaps you can help us. Did you ever join YCL in Chicago? That is the Young Communist League, is it not?

Mr. MORTON. You tell me what it is.

Mr. ARENS. Tell me whether or not you ever joined the Young Communist League in Chicago.

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Counselor, I am going to invoke my privilege under the fifth amendment of the Constitution of the United States and refuse or decline to attempt to give an answer to this general question.

The CHAIRMAN. It is not general. The specific question is, "Were you a member of the Young Communist League?" That is the specific question.

Mr. MORTON. My answer under the privilege granted me under the fifth amendment is that I decline respectfully to answer that question.

Mr. ARENS. Do you honestly feel if you told this committee whether or not you were a member of the Young Communist League in Chicago you would be giving information which might be used against you in a criminal proceeding?

Mr. MORTON. I respectfully decline under the privilege granted me—

Mr. ARENS. Do you understand the question I just asked you? Do you honestly in your heart believe that if you told this committee whether or not you were a member of the Young Communist League in Chicago you would be giving information which might be used against you in a criminal proceeding?

Mr. MORTON. My answer is that I decline for the reason I just stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, he be ordered and directed to answer that last principal question.

The CHAIRMAN. You are directed to answer the question.

Mr. MORTON. I will decline under the privilege granted me under the fifth amendment of the Constitution.

Mr. ARENS. Have you been a champion sprinter? Were you a runner in your younger days?

Mr. MORTON. I have been running all my life.

The CHAIRMAN. Literally and figuratively, is that what you mean?

Mr. ARENS. I just wonder if that might help us a little bit. We are puzzled by this description here. Do you also speak Russian?

Mr. MORTON. I don't understand the question.

Mr. ARENS. Do you speak Russian?

(The witness conferred with his counsel.)

Mr. MORTON. I would like to know the pertinence of the question.

The CHAIRMAN. Answer the question.

Mr. MORTON. I decline for the reasons stated previously.

The CHAIRMAN. Proceed with the next question.

Mr. ARENS. Have you ever seen this article which I just laid before you?

Mr. MORTON. I will decline to answer that under the privilege of the fifth amendment.

Mr. ARENS. Do you suppose you would recognize one of your pictures? I would like to mark this exhibit, if you please, Mr. Chairman, "Morton Exhibit No. 2." It is entitled "Life Begins With Freedom," by Henry Winston, a pamphlet, 1937. It has a picture here of a person titled "Tony Morton, former division organizer of the YCL in Harlem, N. Y., and recently elected chairman of the Manhattan County organization." I would like to lay that document before you and see if you recognize that picture as anybody you have seen before.

Mr. MORTON. I will decline to answer that question, Mr. Counsel.

Mr. ARENS. That is you, is it not, in that picture?

Mr. MORTON. I have stated that I will decline to answer that question.

Mr. ARENS. Why?

(The witness conferred with his counsel.)

Mr. MORTON. On the grounds previously stated.

Mr. ARENS. What grounds are those previously stated? We had better have this record clear.

Mr. MORTON. The privilege granted me under the fifth amendment of the Constitution of the United States.

Mr. ARENS. Do you honestly apprehend that if you would tell this committee under oath whether or not that photograph which I have just laid before you is your photograph, you would be supplying information which could be used against you in a criminal proceeding?

Mr. MORTON. I decline on the grounds previously stated. I should say that it certainly doesn't look like me.

Mr. ARENS. If it doesn't look like you, are you prepared to say this is not your photograph?

Mr. MORTON. I decline to answer the question under the privilege granted me under the fifth amendment.

Mr. ARENS. Are you prepared now to say that this Tony Morton described under this photograph was not yourself?

Mr. MORTON. I will decline to answer on the grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that both of these documents, Morton exhibits Nos. 1 and 2, be incorporated by reference in this record.

The CHAIRMAN. Let them be incorporated.

Mr. ARENS. I would like to lay before you another document which I will mark "Morton Exhibit No. 3." This is a photostatic copy of page 5 of the New York Daily Worker, Communist Daily Worker, for Friday, February 11, 1938.

"Youth Groups Parade for Anti-lynch Bill Passage." That is the heading of this article, in which is listed a number of youth who are leading the processions. I invite your attention to this right here [indicating], and ask if you would be kind enough and cooperative enough with the committee to read that excerpt which is underlined in the article and see if that might prompt your recollection a little bit.

(The witness examined the document.)

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Chairman, I will decline to comment on this document.

Mr. ARENS. This article describes a Tony Morton as chairman and a James Barker, executive secretary, of the New York County Young Communist League. Are you the Tony Morton referred to in that article?

Mr. MORTON. I will decline to comment on that.

Mr. ARENS. Did you know a man by the name of James Barker?

Mr. MORTON. I decline to comment on the grounds previously stated.

Mr. ARENS. What are those grounds?

Mr. MORTON. The privileges granted me under the fifth amendment of the Constitution of the United States.

Mr. ARENS. What privileges? You mean not to testify against yourself or to give evidence which could be used against you in a criminal proceeding, do you not?

Mr. MORTON. I have already stated the grounds.

Mr. ARENS. Say it again. Do you honestly apprehend that if you were to tell this committee whether or not this Tony Morton referred to in the Daily Worker of New York, Friday, February 11, 1938, was yourself, you would be supplying information which might be used against you in a criminal proceeding?

Mr. MORTON. I decline to answer on the grounds previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. MORTON. Mr. Chairman, I respectfully decline to answer the question on grounds previously stated.

The CHAIRMAN. All right.

Mr. ARENS. I respectfully request, Mr. Chairman, that this document, Morton exhibit No. 3, be incorporated by reference in this record.

The CHAIRMAN. It is so ordered.

Mr. ARENS. I lay before you an article from the Communist Daily Worker, February 12, 1938, with the heading, "Harlem CP To Give

Series on Negro Martyrs." Among the speakers is a person described as "Tony Morton, chairman of the New York County, on Youth." Was that you?

Mr. MORTON. I will decline to comment on grounds previously stated.

Mr. ARENS. What grounds previously stated?

Mr. MORTON. I decline to comment on grounds previously stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered either to answer the question or to assert his privilege under the fifth amendment to the Constitution.

The CHAIRMAN. I think we can save time by having it understood that when the witness declines to answer a question and states because of the grounds previously stated, he means by that he declines to answer the question because of the privilege granted him under the fifth amendment of the Constitution. We can save time in that manner.

Mr. ARENS. I respectfully suggest that this document, article from the Daily Worker of February 12, 1938, be incorporated by reference in this record as Morton exhibit No. 4.

The CHAIRMAN. Mark it and incorporate it by reference.

Mr. ARENS. While you were in New York did you engage in a mass picket in May of 1947?

Mr. MORTON. I will decline to comment on grounds previously stated.

Mr. ARENS. I have marked another document here "Morton Exhibit 5," for identification only. It is a photostatic copy of the Communist Daily Worker of New York, Thursday, May 29, 1947, in which appears the article "Mass picketing lines under the auspices of the New York State Committee of the Communist Party will demonstrate," and so forth. "The delegation will include a person, Anthony Morton." Was that you they were talking about herein this article?

Mr. MORTON. I will decline to comment, Mr. Counsel, on the grounds previously stated.

Mr. ARENS. Do you honestly apprehend that if you told this committee whether or not you are the Anthony Morton alluded to in this article in exhibit 5 you would be supplying information which could be used against you in a criminal proceeding?

Mr. MORTON. I will decline to answer.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. Answer the question. You are directed to answer the question.

Mr. MORTON. Mr. Chairman, I respectfully decline to answer the question on the grounds previously stated.

Mr. ARENS. I lay before you a document which I have marked "Morton Exhibit No. 6," which is a photostatic copy of page 3 of the Communist Daily Worker of New York, Friday, April 4, 1947, describing a number of Negro Communist Party leaders who issued a warning to restore democratic sanity to American public affairs.

Did you ever participate in and issue such a statement?

Mr. MORTON. I will decline to answer that on the grounds previously stated.

Mr. ARENS. Among the persons described in this article as Negro Communist Party leaders is a person "Anthony Morton." Was that you?

Mr. MORTON. I decline to answer on the grounds previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, this document, Morton exhibit No. 6, be incorporated by reference in this record.

The CHAIRMAN. It will be incorporated.

Mr. ARENS. When you came to Denver what organizations did you affiliate with here?

Mr. MORTON. I don't quite understand your question.

Mr. ARENS. Did you join some organizations after you came to Denver other than the organization for which you work?

Mr. MORTON. I still don't understand what you mean by the organization.

Mr. ARENS. Did you join or were you associated with the National Association for the Advancement of Colored People?

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Chairman, I would like to know if that question of the National Association for the Advancement of Colored People is pertinent to the investigation.

Mr. ARENS. The pertinency will be a matter for the committee to determine. Did you join or become affiliated with the National Association for the Advancement of Colored People here in Denver?

Mr. MORTON. I will decline to answer that question on the grounds that I have previously stated.

The CHAIRMAN. Certainly you don't want to take the position that to admit that you were a member of that organization, whose loyalty has never been questioned, would in any wise subject you to the possibility of a criminal prosecution.

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Chairman, my objection to the question or my question—

The CHAIRMAN. Never mind the objections. I am not concerned with the reasons. I am asking you to answer the question. Did you join the National Association for the Advancement of Colored People?

Mr. MORTON. You mean I am ordered to answer that question?

The CHAIRMAN. Yes; you are directed to answer the question.

Mr. MORTON. I will decline to answer the question on the grounds previously stated.

Mr. ARENS. I lay before you a document which I have marked "Morton Exhibit No. 7," for identification only. It is a photostatic copy of an article appearing in a newspaper in the Denver area. I shall read you an excerpt from the article.

The Denver branch president of the National Association for the Advancement of Colored People has been ousted from office and expelled from the organization for alleged Communist connections, a Denver attorney who led the expulsion said Thursday. Thrown out of the local NAACP group at a Tuesday night meeting in the Glenarm YMCA was Anthony Morton, an employee of the International Union of Mine, Mill, and Smelter Workers in Denver, who was identified as a Communist Party functionary.

and so forth.

Are you the Anthony Morton who was thrown out of the NAACP, and the president of the branch here, because of Communist Party affiliations?

Mr. MORTON. You are asking me?

Mr. ARENS. Yes; I am asking you that question.

(The witness conferred with his counsel.)

Mr. MORTON. I will decline to answer that question, Mr. Counsel, on the grounds that I have previously stated.

Mr. ARENS. Do you know a person by the name of Mildred Blauvelt, B-l-a-u-v-e-l-t?

Mr. MORTON. Mildred who?

Mr. ARENS. Blauvelt, B-l-a-u-v-e-l-t.

Mr. MORTON. What about the person?

Mr. ARENS. Do you know a person by the name of Mildred Blauvelt, B-l-a-u-v-e-l-t?

Mr. MORTON. I can't recall any such name, Mr. Counsel.

Mr. ARENS. Did you know such a person in New York when you were there?

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Chairman, I will decline to answer that question on the grounds previously stated.

The CHAIRMAN. All right.

Mr. ARENS. Mildred Blauvelt testified under oath before this committee that while she was an undercover agent for the Federal Bureau of Investigation in the Communist conspiracy she knew a person by the name of Anthony or Tony Morton, who is vice president of the Brooklyn Communist Political Association, and that he was one time organizer in the Bedford-Stuyvesant section and was also at one time educational director of the Brooklyn Communist Party. Did you occupy these posts and are you the person identified in this record under oath as Anthony Morton or Tony Morton?

(The witness conferred with his counsel.)

Mr. MORTON. Mr. Chairman, I am going respectfully to decline to answer that question on grounds previously stated.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that while you were in Brooklyn, N. Y., you were one-time educational director of the Brooklyn Communist Party.

Mr. MORTON. I will decline to answer on the previously stated grounds.

Mr. ARENS. Were you ever with the Brooklyn Communist Political Association?

Mr. MORTON. I will decline to answer under my privilege.

Mr. ARENS. Was your job here in Denver, Colo., procured for you by a person known by you to have been a member of the Communist conspiracy?

Mr. MORTON. I will decline to answer that question on grounds previously stated.

Mr. ARENS. Would you mind looking over there? Mr. Duran, would you please stand up? Would you look at the man in the blue suit over at the side of the courtroom there. Look at him well.

Mr. MORTON. I already looked at him.

Mr. ARENS. Look at him in his face.

Mr. MORTON. I already looked at him in his face.

Mr. ARENS. When did you last see him?

Mr. MORTON. Just now.

Mr. ARENS. When did you last see him prior to that time?

Mr. MORTON. I will decline to answer that question on grounds previously stated.

Mr. ARENS. That man took an oath and said he knew you as a member of the Communist conspiracy. Was he lying or was he telling the truth?

Mr. MORTON. I will decline to answer that question on grounds previously stated.

Mr. ARENS. What extracurricular activities do you carry on now besides your job?

Mr. MORTON. I don't understand what you mean by extracurricular.

Mr. ARENS. What outside activities do you engage in besides just working so hard at your job?

Mr. MORTON. I water my lawn.

Mr. ARENS. Is there anything else you do on the outside?

Mr. MORTON. I don't understand what else you mean.

Mr. ARENS. Are you active in any organizations of any kind, character, or description?

Mr. MORTON. What kind of organizations?

Mr. ARENS. You tell us in what kinds of organizations you might be active.

Mr. MORTON. Unless you can name the organizations, I can't give a general answer.

Mr. ARENS. Would it be a general answer to tell us in what organization you might be active? Are you still active in the NAACP?

(The witness conferred with his counsel.)

Mr. MORTON. Could I ask you what you mean by active, Mr. Counsel?

Mr. ARENS. We will refine it to membership. What organizations are you a member of now.

Mr. MORTON. If you can't tell me what organizations you mean.

Mr. ARENS. You tell me.

The CHAIRMAN. Do you belong to the Elks Club?

Mr. MORTON. I will decline to answer that question, Mr. Chairman, on grounds previously stated.

The CHAIRMAN. You want us to believe that to admit that you are a member of the Elks Club might subject you to criminal prosecution; is that it?

(The witness conferred with his counsel.)

Mr. MORTON. I would like to know before I attempt to answer that question whether the Elks Club has any connection with the investigation.

The CHAIRMAN. You answer my question. Are you a member of the Elks Club?

Mr. MORTON. I will decline to answer that question on ground previously stated, Mr. Chairman.

The CHAIRMAN. All right.

Mr. MORTON. Respectfully.

Mr. ARENS. I respectfully suggest the record be clear that he be ordered to answer the question.

The CHAIRMAN. Yes; you are directed to answer the question.

Mr. MORTON. I will decline respectfully on grounds previously stated.

The CHAIRMAN. Proceed.

Mr. ARENS. How many people are on the mailing list that you send this paper to every month or so.

Mr. MORTON. I really don't know.

Mr. ARENS. Who is the editor of this publication?

(The witness conferred with his counsel.)

Mr. MORTON. The editor is—his name is Albert Pezzati.

Mr. ARENS. Do you know where he is now?

Mr. MORTON. I wouldn't be knowing; no, sir.

Mr. ARENS. Do you know whether or not he is hiding from this committee?

Mr. MORTON. I wouldn't be knowing that, either.

Mr. ARENS. We thought maybe you might be knowing.

Who brought you out here?

Mr. MORTON. Out where?

Mr. ARENS. Out to Denver from New York. Did you just come out here because you thought you would like it out here?

Mr. MORTON. I took a train and a bus.

Mr. ARENS. Who told you to come out here?

Mr. MORTON. Who told me to come out here?

Mr. ARENS. Yes.

Mr. MORTON. I don't quite understand that question.

Mr. ARENS. Did anybody tell you to come out here to Denver when you were in New York?

Mr. MORTON. Will you kindly explain how you mean, tell me to come out to Denver?

Mr. ARENS. I think you understand the question. I am going to ask the chairman to order you to answer that question or be in contempt of this committee. Did anybody tell you to come out here to Denver?

Mr. MORTON. I will decline to answer that question.

Mr. ARENS. I respectfully suggest, Mr. Chairman, he be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. MORTON. Mr. Chairman, I respectfully decline to answer on grounds previously stated.

The CHAIRMAN. All right.

Mr. ARENS. Were you sent out here by the Communist Party?

Mr. MORTON. I decline to answer that on grounds previously stated, Mr. Chairman.

Mr. ARENS. I believe we have covered that pretty well, Mr. Chairman.

The CHAIRMAN. Any questions?

There are no further questions. The witness is excused from further testimony under the subpoena.

Call your next witness.

Mr. ARENS. Mr. Graham Dolan, please.

The CHAIRMAN. Will you raise your right hand? Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DOLAN. I do.

TESTIMONY OF GRAHAM DOLAN, ACCOMPANIED BY COUNSEL,
NATHAN WITT

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. DOLAN. My name is Graham Dolan. I live at 3241 North 54th Avenue. I am employed by the International Union of Mill, Mine, and Smelter Workers. I am on the staff of the newspaper of the union called the Mine-Mill Union.

Mr. ARENS. Are you appearing here today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DOLAN. I am.

Mr. ARENS. Will counsel kindly identify himself?

Mr. WITT. Nathan Witt, W-i-t-t, Post Office Box 156, New York, N. Y.

Mr. ARENS. Where and when were you born?

Mr. DOLAN. I was born in Chicago, Ill., August 8, 1908.

Mr. ARENS. Give us a word about your education, please.

Mr. DOLAN. Third year high school.

Mr. ARENS. When did you complete your education, if you recall the year? Around 1925?

Mr. DOLAN. Around that. I don't remember the exact year.

Mr. ARENS. Will you give us a brief sketch of the employments which you have had since you completed your education in the neighborhood of 1925?

Mr. DOLAN. Almost all of my adult life I have been a newspaperman employed by various papers around the country. I worked on a newspaper in Franklin Park, Ill.—

Mr. ARENS. Excuse me. Are you taking this in chronological order?

Mr. DOLAN. As nearly as I can.

Mr. ARENS. That is fine.

Mr. DOLAN. I may not exactly.

(The witness conferred with his counsel.)

Mr. DOLAN. I worked on a newspaper in Franklin Park, Ill., the Maywood Daily News, in Maywood, Ill., a newspaper in Champaign, Ill., the name of which I forget at the moment.

I was employed by the Chicago Tribune for a period of 7 years.

Mr. ARENS. Can you tell us about when that was?

Mr. DOLAN. I believe I left the Tribune somewhere in 1939 or 1940. I am not sure of the exact date of that.

Mr. ARENS. Was the disassociation from the Tribune voluntary?

Mr. DOLAN. It was not.

Mr. ARENS. It was involuntary?

Mr. DOLAN. I was discharged by the Chicago Tribune for union activity.

Mr. VELDE. What type of writing did you do on the Chicago Tribune?

Mr. DOLAN. I was not a reporter, Mr. Velde. I was a copy reader, working on the copy desk for that newspaper, except for a short period when I was night picture editor of the newspaper.

Mr. VELDE. Then you never did any writing for the Chicago Tribune?

Mr. DOLAN. Aside from rewrites of various descriptions when I was on the telegraph desk or the cable desk or the Wisconsin desk or the local desk. On many occasions I had to rewrite stories or edit them to instructions of the various editors.

Mr. VELDE. Were your duties the same at Maywood and Campaign?

Mr. DOLAN. For a period I covered sports. I covered a police beat for several years. I wrote community news. Sometimes I was working on theater news or amusements, and so forth.

Mr. ARENS. Could you tell us again the year in which you were discharged from the Chicago Tribune?

Mr. DOLLAN. I believe it was 1940, Mr. Arens, but I am not certain.

Mr. ARENS. Incidentally, have you been popularly known as Cozy, C-o-z-y?

Mr. DOLAN. It is a nickname.

Mr. VELDE. May I inquire again about this discharge by the Chicago Tribune. You say it was involuntary. They fired you.

Mr. DOLAN. Yes.

Mr. VELDE. You described it as union activities.

Mr. DOLAN. It was, sir.

Mr. VELDE. Do you have anything to show that that was the reason for your discharge?

Mr. DOLAN. Yes. I filed charges with the National Labor Relations Board and some time later the case was settled out of hearing. I left the Tribune after receiving a sum of money as back pay for having been discharged.

Mr. VELDE. But there is nothing in the official record that shows that you were discharged for union activities?

Mr. DOLAN. I think the files of the National Labor Relations Board will show that I was fired for union activities; yes, sir.

Mr. ARENS. Was your present counsel at that time identified with the National Labor Relations Board?

Mr. DOLAN. I believe he was secretary of the Board, Mr. Arens. I am not certain of that.

Mr. ARENS. Do you know whether or not your present counsel had anything to do with the adjustment of your case when you were involuntarily disassociated from the Chicago Tribune?

Mr. DOLAN. I haven't the faintest idea.

Mr. WITT. Counsel would be glad to answer that if you want me to.

Mr. ARENS. Would you kindly give us your next employment after the incident which we have just been recounting?

Mr. DOLAN. There was a period that I worked for the American Guild of Variety Artists and also the American Communications Association.

Mr. ARENS. The American Communications Association? First of all let's have the year of your activities in the American Guild of Variety Artists.

Mr. DOLAN. I believe that was in 1940; so the Tribune discharge might have been 1939, pinning it down now more accurately.

Mr. ARENS. What did you do for the American Guild of Variety Artists?

Mr. DOLAN. I was a sort of business agent to do what they called policing the various nightclub shows and making sure they were living up to the regulations as stated in union contracts and so forth.

Mr. ARENS. Your next employment then?

Mr. DOLAN. The American Communications Association.

Mr. ARENS. What years were you with the American Communications Association?

Mr. DOLAN. I left them in 1941; I worked for them approximately a year.

Mr. ARENS. Who was head of ACA when you were with the American Communications Association?

Mr. DOLAN. I believe Joseph Selly was president of it then.

Mr. ARENS. Your next employment?

Mr. DOLAN. The International Union of Mine, Mill, and Smelter Workers.

Mr. ARENS. That began about 1942; did it not?

Mr. DOLAN. It began in September of 1941.

Mr. ARENS. Give us, if you please, the chronology of your various assignments within the Mine-Mill, when you started, where you were, and what jobs you had.

Mr. DOLAN. I was hired as the editor of the union paper which at that time was called the Mine, Mill and Smelter Workers Edition of the CIO News.

Mr. ARENS. That was where, please?

Mr. DOLAN. It was in Denver, Colo., with the editorial offices in Denver. The paper I believe was printed in Washington, D. C., along with other editions of the CIO News.

Mr. ARENS. Am I clear or are you suggesting that you have been employed in Denver ever since 1941?

Mr. DOLAN. That is not true.

Mr. ARENS. Let's get the record straight there.

Mr. DOLAN. I was starting the chronology you asked for, sir.

Mr. ARENS. Yes. I appreciate that. In 1941 you began as editor of the Mine-Mill publication here in Denver?

Mr. DOLAN. Yes.

Mr. ARENS. Who was your boss? Who employed you?

Mr. DOLAN. Well, the first person who interviewed me was a gentleman named Gus Gonzales, who was the executive board member for the Eastern Seaboard at that time. He is now dead. I believe he was a casualty in World War II. When I was instructed to come to work I received a telegram from the then secretary-treasurer of the union, Mr. James Leary.

Mr. ARENS. Go ahead, if you please, with the chronology.

Mr. DOLAN. I remained—there was a period when the papers changed. We began to publish our own paper in the city of Denver without the difficulty of trying to publish a paper by mail, and so forth. We started a paper called The Union. I remained editor of that until I went into the United States Navy in May of 1944. I served in the United States Navy from May of 1944 until just before Christmas Day in 1945. I did not return to the Mine, Mill, and Smelter Workers until I believe December of 1947. I have been working with the Mine, Mill, and Smelter Workers ever since then in various capacities, all of them having to do with editorial work of one description or another.

Mr. ARENS. You have been educational director of the International Mine, Mill, and Smelter Workers, have you not?

Mr. DOLAN. Yes. That is the title I held for a while.

Mr. ARENS. You presently are the editor of the paper, is that correct?

Mr. DOLAN. No, I am not the editor. I am on the staff.

Mr. ARENS. What is the name of the paper?

Mr. DOLAN. The Mine-Mill Union.

Mr. ARENS. What is the circulation of the paper?

Mr. DOLAN. The circulation theoretically is supposed to cover all of the members of the union. There is always a gap in getting the various local union mailing lists up to date and keeping it up to date. I would say the circulation is somewhere around 50,000. That does not cover the whole membership of the union, however.

Mr. ARENS. What is the membership?

Mr. DOLAN. I would estimate it to be somewhere between 90 and 100,000, although I am not certain. I don't have that figure.

The CHAIRMAN. Doesn't membership entitle a member to the paper?

Mr. DOLAN. Yes, it does. The financial secretaries of the locals forward the names of the members as quickly as they can and we keep them on the mailing list.

Mr. ARENS. Are you regarded as an official of the organization? Do you have the status of an official?

Mr. DOLAN. I am afraid not. I am just a hired hand.

Mr. ARENS. Who is the editor?

Mr. DOLAN. Mr. Albert Pezzati, the secretary-treasurer of the union is the editor of the newspaper.

Mr. ARENS. When did you last see him?

Mr. DOLAN. I believe I saw him about a month ago, sir.

Mr. ARENS. Do you happen to know where he is?

Mr. DOLAN. No, I am sorry. I haven't had occasion to get in touch with him.

Mr. ARENS. Do you mean to say you haven't been in touch with the editor for a month?

Mr. DOLAN. No. I am his technical assistant and whenever any questions of policy arise so I have to get in touch with him, I will attempt to get in touch with him.

Mr. ARENS. How often does this paper come out?

Mr. DOLAN. Once a month, sir.

Mr. ARENS. Haven't you any idea at all where he might be?

Mr. DOLAN. The last time I talked to him I believe he was in Chicago.

Mr. ARENS. Was it at the office of the Mine, Mill and Smelter Workers in Chicago that you talked to him?

Mr. DOLAN. I don't know where he was when I talked to him.

Mr. ARENS. Have you talked to him since the subpoena was served on you by this committee?

Mr. DOLAN. I believe I already had a subpoena when I talked to him; yes, sir.

Mr. ARENS. Did you happen to mention that to him in passing, or in the course of the conversation?

Mr. DOLAN. There was no occasion. I was talking to him about union business.

Mr. ARENS. The matter of the subpoena didn't come up in the conversation at all, is that correct?

Mr. DOLAN. I don't recall that it did.

Mr. ARENS. At the time you talked to him on the telephone in Chicago didn't you know the committee was looking for him?

Mr. DOLAN. I understood there was a subpoena out for Mr. Pezzati, yes.

Mr. ARENS. Did you tell him so on the telephone?

Mr. DOLAN. I assumed he was aware of it. I didn't know.

Mr. ARENS. Did you sign a Taft-Hartley affidavit?

Mr. DOLAN. No, sir; I did not.

Mr. ARENS. You are not in that category?

Mr. DOLAN. No, sir. I would like to consult my counsel a minute, please, if I may.

Mr. ARENS. Surely.

(The witness conferred with his counsel.)

Mr. ARENS. Do you know a man by the name of Kenneth Eckert?

Mr. DOLAN. I decline to answer that question on the grounds of the privilege afforded me by the fifth amendment to the Constitution.

Mr. ARENS. In December of 1955, Kenneth Eckert testified in the United States District Court for the District of Colorado before Hon. Jean S. Breitenstein, judge, under oath. He identified you as a person who was a Communist. Was Eckert lying or was he telling the truth?

Mr. DOLAN. I will answer that question in this way: I am not now a member of the Communist Party, but I shall refuse to answer any questions in this category which deal with my past associations or beliefs.

Mr. ARENS. That is fine that you tell us even that much. Are you presently under Communist Party discipline?

Mr. DOLAN. I decline to answer that question on the grounds of the fifth amendment privilege afforded me.

Mr. ARENS. When you say you are not now a member of the Communist Party, do you suggest that you have resigned membership in the party?

Mr. DOLAN. I would like to consult my counsel on this question.

(The witness conferred with his counsel.)

Mr. DOLAN. I decline to answer that question on the grounds of the privilege afforded me by the fifth amendment.

Mr. ARENS. Were you a member of the Communist Party a year ago?

Mr. DOLAN. I believe I stated I was not going to answer any questions about my past associations or beliefs, and therefore I decline to answer—

Mr. ARENS. Let's not talk about associations and beliefs.

Mr. DOLAN. May I finish. I decline to answer that question on the grounds of the privilege afforded me.

The CHAIRMAN. On the grounds previously stated?

Mr. DOLAN. Yes, sir.

Mr. ARENS. Were you a member of the Communist Party yesterday?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Did you resign technical membership in the Communist Party in anticipation of your appearance before this committee here today?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Are you presently taking orders from the Communist conspiracy?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Were you at one time editor of Challenge?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. What is Challenge?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. I am marking now a document "Dolan Exhibit No. 1," which is a photostatic copy of a page from a publication entitled "Challenge," Sunday morning, March 24, 1946, "The only people's newspaper in the Rocky Mountains, published weekly at Denver, Colo." The editor of this publication is described as Graham Dolan. I ask you to look at that and see if that refreshes your recollection as to any employment or connection you may have had with that paper.

Mr. DOLAN. I will decline to answer that question on the grounds as previously stated.

Mr. ARENS. Do you honestly apprehend that if you told this committee under oath whether or not you were ever editor of Challenge you would be supplying information which could be used against you in a criminal proceeding?

Mr. DOLAN. I don't believe I have to explain my grounds for taking the fifth amendment, Mr. Arens.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this document be incorporated by reference in the record.

The CHAIRMAN. The document will be incorporated.

Mr. ARENS. Now I mark a document "Dolan Exhibit No. 2," which is a photostatic copy of the publication, Challenge, March 24, 1946, containing a picture of a person described as Graham Dolan. I ask you to look at that photostatic copy of the picture and tell us whether or not that picture is a photograph of yourself.

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. Do you honestly apprehend if you gave the identification of that photograph appearing in this document, which I just laid before you, you would be supplying information which could be used against you in a criminal proceeding?

Mr. DOLAN. I am sorry, sir, I didn't mean to interrupt you.

Mr. ARENS. That is all right, I am through with my question.

Mr. DOLAN. I don't believe I have to explain my reasons for taking the fifth amendment.

Mr. ARENS. I am not asking for an explanation or reason. I am asking you whether or not you honestly apprehend that if you gave us a truthful answer you would be supplying information which could be used against you in a criminal proceeding.

Mr. DOLAN. I interpret that question that you are asking me for giving my reason for taking the fifth amendment and I am declining to answer that question on the grounds previously stated.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question.

The CHAIRMAN. Yes. He is not asking for your reasons. He is asking whether or not you are apprehensive.

Mr. DOLAN. I refuse to answer that question on the same grounds. sir.

Mr. ARENS. Also, for a further reason, the question was asked to ascertain whether or not your use of the fifth amendment is a perversion of that amendment or whether or not it is invoked in good faith. I respectfully suggest, Mr. Chairman, that this exhibit be incorporated by reference in this record.

The CHAIRMAN. It is incorporated.

Mr. DOLAN. What was the last question?

Mr. ARENS. Have you ever been identified with the March of Labor?

Mr. WITT. I am not sure the witness answered the question or whether counsel—

The CHAIRMAN. He just answered the question. Ask the next question.

Mr. ARENS. Have you ever been identified with the March of Labor?

Mr. DOLAN. Do you mean have I ever worked for the March of Labor?

Mr. ARENS. Yes, or have you ever written articles for the March of Labor.

Mr. DOLAN. I believe I may have sent them releases from the Mine, Mill and Smelter Workers from time to time in my duties as public relations man.

Mr. ARENS. I lay before you a document which I have marked "Dolan Exhibit No. 3" which is a reproduction of the April 1952, issue of the March of Labor, bearing an article entitled "Senator Humbug, by Graham Dolan," and ask you if you can tell us whether or not you wrote that article?

(The witness conferred with his counsel.)

Mr. DOLAN. I wrote this article.

Mr. ARENS. Which appeared in the March of Labor.

Mr. DOLAN. Right.

Mr. ARENS. Have you ever been identified with the Rocky Mountain Foundation for a Free Press?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. What is the Rocky Mountain Foundation for a Free Press?

Mr. DOLAN. I decline to answer that question on the same grounds?

Mr. ARENS. Is there an organization known as the Rocky Mountain Foundation for a Free Press?

Mr. DOLAN. I decline to answer that question on the same grounds.

Mr. ARENS. While you have been editor of these various publications for the Mine, Mill and Smelter Workers organization have you taken directives and orders from the Communist conspiracy as to what you should put in your publications?

Mr. DOLAN. May I consult my counsel on that?

(The witness conferred with his counsel.)

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. I lay before you a document which I have marked "Dolan Exhibit No. 4," which is the original print of Challenge and invite your attention to the last page of that document, "Rocky Mountain Foundation for a Free Press, publishers of Challenge," in which appears the name "Graham Dolan, chairman," and ask you if that Graham Dolan, chairman, is yourself.

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. Was Edward Scheunemann counsel to the Rocky Mountain Foundation for a Free Press?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. I respectfully suggest, Mr. Chairman, Dolan exhibits Nos. 3 and 4 be incorporated by reference in this record.

The CHAIRMAN. It is so ordered.

Mr. ARENS. Have you ever been identified with the International Labor Defense?

Mr. DOLAN. I will decline to answer that question on the grounds as previously stated.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that you were a member of the national committee of the International Labor Defense, which is an arm or was an arm of the Communist international conspiracy.

Mr. DOLAN. I will decline on the same grounds, sir.

Mr. ARENS. Did you ever know Louis Budenz?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. Louis Budenz identified you as a hard core member of the Communist conspiracy. Was he lying or was he telling the truth? (The witness conferred with his counsel.)

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. Were you identified some time back, some 4 or 5 years ago, in Salt Lake City before a Senate subcommittee as a person alleged to be a member of the Communist Party?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. Did you appear at any hearings of the Senate subcommittee on Internal Security in Salt Lake City in 1952? (The witness conferred with his counsel.)

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. In October of 1952 you were identified as a member of the Communist conspiracy before the Senate Internal Security Subcommittee in Salt Lake City. The record is clear on that. Has that identification in any way hurt you in your employment with the International Union of Mine, Mill, and Smelter Workers?

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. In what mines in this Nation are persons employed who are receiving this paper which you help write?

Mr. DOLAN. What mines?

Mr. ARENS. Yes.

Mr. DOLAN. There are many States, sir.

Mr. ARENS. Give us the best description you can as to where the membership is of the International Union of Mine, Mill, and Smelter Workers.

Mr. DOLAN. You asked about mines. Most of the hard-rock mines are located in the Rocky Mountains west and the various States of the Rocky Mountains west—Utah, Montana, Wyoming, Arizona, New Mexico, Colorado, Texas—I think Texas, I am not sure about the mines there.

Mr. ARENS. Who is the current president of the International Union of Mine, Mill, and Smelter Workers?

Mr. DOLAN. Mr. John Clark.

Mr. ARENS. Is he a Communist?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. Who is the next officer after John Clark?

Mr. DOLAN. Vice president, Orville Larson—

Mr. ARENS. Just a moment. Is Orville Larson a member of the Communist conspiracy?

Mr. DOLAN. I decline to answer that question on the grounds as previously stated.

Mr. ARENS. And who is the next ranking officer?

Mr. DOLAN. Asbury Howard, vice president of the union.

Mr. ARENS. Is he a member of the Communist conspiracy?

Mr. DOLAN. I decline to answer that question on the same grounds.

Mr. ARENS. And the next ranking officer?

Mr. DOLAN. Albert Pezzati, secretary-treasurer.

Mr. ARENS. And is he a member of the Communist Party?

Mr. DOLAN. I decline to answer that question on the same grounds.

Mr. ARENS. Do you have the shop steward system in the International Union of Mine, Mill and Smelter Workers?

Mr. DOLAN. In some places they call it a shop steward system. Other places it is called a mine committeemen system. There is some sort of system in almost all of our places.

Mr. ARENS. How many shop stewards are there in the International Union of Mine, Mill and Smelter Workers?

Mr. DOLAN. I haven't the faintest idea.

Mr. ARENS. Would there be as many as a thousand?

Mr. DOLAN. I just have no way of estimating that, sir.

Mr. ARENS. Are the shop stewards responsible to and do they report to the leadership of the organization?

Mr. DOLAN. The leadership of what organization?

Mr. ARENS. The International Union of Mine, Mill and Smelter Workers.

Mr. DOLAN. They are responsible to the leadership of their local unions.

Mr. ARENS. Are the leaders of the local organizations responsible to, and do they report to the members of the international?

Mr. DOLAN. Our local unions are autonomous organizations and are responsible only to themselves, and as an affiliate of the Mine, Mill and Smelter Workers are required only to live up to the constitution of the union.

Mr. ARENS. Where is Maurice Travis at the present time?

Mr. DOLAN. I am sorry, but I couldn't tell you.

Mr. ARENS. Is the International Union of Mine, Mill and Smelter Workers certified by the National Labor Relations Board as a labor organization within the meaning of the National Labor Relations Act?

Mr. DOLAN. Certainly.

Mr. ARENS. Does it bargain with employers?

Mr. DOLAN. Pardon me, sir. I want to talk to my counsel.

(The witness conferred with his counsel.)

Mr. DOLAN. Mr. Counsel, I am advised by my counsel that the last question was not legally correct, and I would like to withdraw my answer to that question.

Mr. ARENS. Which last question?

The CHAIRMAN. You correct it.

Mr. WITT. May I correct it. If I understood Mr. Arens' question, it was whether the International Union of Mine, Mill and Smelter Workers is certified as a labor organization. Well, there is no such procedure under the National Labor Relations Act.

Mr. ARENS. Is it certified as a bargaining agency?

Mr. WITT. Would you want me to answer that? Yes; it is certified for different employers.

Mr. ARENS. When was the last certification? Do you recall?

Mr. DOLAN. The last certification?

Mr. ARENS. By the National Labor Relations Board of the International Union of Mine, Mill, and Smelter Workers.

Mr. DOLAN. It is very difficult for me to answer that question. I just don't know.

Mr. ARENS. Has there been a certification in the course of the last year?

Mr. DOLAN. Yes; I assume there has. We have won National Labor Relations Board elections, and I assume we have been certified on the basis of those elections.

Mr. ARENS. Have there been certifications since the Senate hearings in October of 1952?

Mr. DOLAN. Most certainly there must be.

Mr. ARENS. Is the International Union of Mine, Mill, and Smelter Workers controlled by the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. DOLAN. I decline to answer that question on the grounds previously stated.

Mr. ARENS. No further questions, Mr. Chairman.

The CHAIRMAN. No further questions. The witness is excused from further attendance under this subpoena.

Mr. DOLAN. Thank you.

The CHAIRMAN. The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:15 p. m., the committee was recessed, to reconvene at 2 p. m., the same day.)

AFTERNOON SESSION—WEDNESDAY, MAY 16, 1956

Committee members present: Representatives Walter and Velde.
The CHAIRMAN. The committee will be in order. Call your next witness.

Mr. ARENS. Mr. Raymond Moorehead, please.

Please remain standing while the chairman administers an oath to you.

The CHAIRMAN. Raise your right hand, Mr. Moorehead. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MOOREHEAD. I do.

The CHAIRMAN. Sit down, please.

TESTIMONY OF R. (RAY) C. MOOREHEAD

Mr. MOOREHEAD. Could I ask a couple of questions on a point of privilege?

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MOOREHEAD. I am R. C. Moorehead. My residence is Phoenix, or near Phoenix, Cashion, Ariz. My occupation is aircraft worker.

Mr. VELDE. Where did you come from?

Mr. MOOREHEAD. Phoenix, Ariz., very near there.

Mr. ARENS. Are you appearing today, Mr. Moorehead, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MOOREHEAD. Yes, sir.

Mr. ARENS. Mr. Moorehead, have you ever been a member of the Communist Party?

Mr. MOOREHEAD. I have

Mr. ARENS. During what period of time were you a member of the Communist Party?

Mr. MOOREHEAD. From May of 1947 until April of 1950.

Mr. ARENS. Without reciting the details, under what circumstances did you join the Communist Party?

Mr. MOOREHEAD. At the request of the Federal Bureau of Investigation.

Mr. ARENS. Were you at any time ideologically identified with the Communist Party?

Mr. MOOREHEAD. Yes.

Mr. ARENS. I don't believe you understood my question. Were you at any time in sympathy with the Communist Party?

Mr. MOOREHEAD. Oh, no.

Mr. ARENS. During the entire time of your membership in the Communist Party from 1947 until 1950 were you a member solely to serve your country patriotically by procuring information for the Federal Bureau of Investigation?

Mr. MOOREHEAD. That is true.

Mr. ARENS. You were at no time in sympathy with the conspiracy or the conspiratorial operations of the Communist Party?

Mr. MOOREHEAD. That is true.

Mr. ARENS. First of all, in your own way tell us, what entity of the Communist conspiracy did you first enter.

Mr. MOOREHEAD. I was in food, tobacco, and agriculture, local 78 in Phoenix, where they worked in vegetables there.

Mr. ARENS. Who were the other members of that particular cell or branch or unit?

Mr. MOOREHEAD. There were many, particularly in the food, tobacco, and agriculture union. We first had a fellow by the name of Donald Henderson, who was our international president in Philadelphia. I

believe, at the time. Then next down the line in order I would say was a fellow by the name of Rufus Bell, our local president, local FTA-CIO there in Phoenix.

Mr. ARENS. Was this a fraction of the Communist Party within the local Food, Tobacco, Agricultural and Allied Workers Union of America?

Mr. MOOREHEAD. It was.

Mr. ARENS. How many members were there in the fraction?

Mr. MOOREHEAD. There must have been somewhere, just an estimation, 50 or 75, migratory workers who came in whenever the lettuce and vegetables were being harvested.

Mr. ARENS. Were these 50 to 75 members of the fraction from the local of the food, tobacco, and agricultural workers?

Mr. MOOREHEAD. They were.

Mr. ARENS. How many of that 50 to 75 were actually Communist Party members?

Mr. MOOREHEAD. They were all actually Communist Party members, but that wasn't all the people who were in the local.

Mr. ARENS. Tell us, if you please, the leaders of the group.

Mr. MOOREHEAD. As I started to say, Rufus Bell was the president of our local there.

Mr. ARENS. Do you know where Mr. Bell is now?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Where?

Mr. MOOREHEAD. He is in Tolleson, Ariz., about 12 miles west of Phoenix.

Mr. ARENS. Do you know what he is doing?

Mr. MOOREHEAD. He is still active in the vegetable industry. I don't know just in what capacity.

Mr. ARENS. Is there another person whose name you can recount to us?

Mr. MOOREHEAD. Yes. A fellow who was our overall president, which took in some locals in California; a fellow by the name of Duke Cunningham.

Mr. ARENS. Do you identify him as a person known by you to be a member of the Communist Party?

Mr. MOOREHEAD. Yes.

Dick Turner was another member of our local, an official in our local 78 there.

Mr. ARENS. Was he a Communist?

Mr. MOOREHEAD. He was.

Mr. ARENS. Do you have the names of other leaders?

Mr. MOOREHEAD. There were others, yes. Let me consult a paper here.

Mr. ARENS. Did you prepare those notes from your own recollection?

Mr. MOOREHEAD. Yes, if you want me to look and see. These are a few names that come to my mind right now. Jimmy Patton was another party member, who was also an official in our local. Duke Cunningham. Chuck Fellow.

Mr. ARENS. Identify the last name.

Mr. MOOREHEAD. Chuck Fellow. I gave you Duke Cunningham as being overall president of the local, which covered California and Arizona. There is Charles Fellow, Chuck Fellow, as he is known.

He was an official in the California local. These were all members of local 78.

Mr. ARENS. Of food, tobacco and agricultural workers?

Mr. MOOREHEAD. Yes. Jimmy Patton also was a member. Dick Turner, and I believe Rufus Bell, whom I have mentioned, and were more or less the officials who were in the local practically all the time that I was in the party and in the local.

Mr. ARENS. Was the food, tobacco, and agricultural workers dominated and controlled by the Communist conspiracy?

Mr. MOOREHEAD. Why, sure.

Mr. ARENS. Just to clear this record, would you give us a word about the food, tobacco, and agricultural workers organization?

Mr. MOOREHEAD. They were always looking for more members in that organization, and the officials in our union were, to the last one, Communists. After I joined the party and got in, then I could see why that every union meeting was run according to the dictates of the Communist Party because we had either a party meeting before the union meeting or immediately after. We set the stage for what was to happen next. If we wanted something to go over, a party member over here would make a motion, one over here would second it. It would look like it was all over the house, even though a small group controlled it.

Mr. ARENS. How many Communists actually controlled the union?

Mr. MOOREHEAD. A very few. We were disciplined by the officials who were over us in the union as party members, but a very few party members ran the union.

Mr. ARENS. Have you identified the Communist Party members in the higher echelons of the food, tobacco, and agricultural workers?

Mr. MOOREHEAD. I did.

Mr. ARENS. What happened to the food, tobacco, and agricultural workers?

Mr. MOOREHEAD. They, to my remembrance, were more or less thrown out of there and another, what was it, DP—

Mr. ARENS. DPOWA? Distributive Processing and Office Workers of America?

Mr. MOOREHEAD. That is right. They took over.

Mr. ARENS. When did that take place?

Mr. MOOREHEAD. I believe that was about 1950; 1949 or 1950. I am not positive.

Mr. ARENS. Were the Communists thrown out of the food, tobacco, and agricultural workers?

Mr. MOOREHEAD. In that particular local, we were.

Mr. ARENS. In that particular local in Phoenix?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Then what happened to that local?

Mr. MOOREHEAD. Our president, Mr. Bell, was out of a job, and we were all thrown out in the street together because they wanted to take it away from Communist domination.

Mr. ARENS. That is, the other membership arose and threw out the Communist leadership?

Mr. MOOREHEAD. Yes. So he got up, dusted himself off, and said that he had been a Communist but he was washing his hands and getting clean now. He goes over and tries to get in this DPOWA.

He said to the shippers and growers there, "I will not only tell you that I was a Communist, but I am not any more," and he also gave the shippers and growers the name of every Communist member that was in the local.

Mr. ARENS. Is it a part of Communist strategy and tactics to deny membership if they can get away with it?

Mr. MOOREHEAD. I think so. Sometimes, maybe. It is owing to what kind of company you are around. If you deny it they might be suspicious. I just kept my mouth shut whether I was or wasn't.

Mr. ARENS. Is it a part of Communist strategy perhaps to resign technical membership but still be part of the apparatus and under Communist conspiratorial discipline?

Mr. MOOREHEAD. Yes.

Mr. ARENS. They did that in connection with the signing of the National Labor Relations Board affidavits; did they not?

Mr. MOOREHEAD. Yes; more or less. It wouldn't be anything for the international president to tell our president in the local, Rufus Bell, "Go ahead and sign a non-Communist affidavit," because at that time they didn't have it really straightened out, and it wasn't going to be his neck if he did sign it falsely.

Mr. ARENS. May I invite your attention to Communist Party operations in the State of Arizona. Could you tell us the key leaders of the Communist Party in Arizona?

Mr. MOOREHEAD. Yes.

Mr. ARENS. First, the State board of the Communist Party in Arizona.

Mr. MOOREHEAD. Morris Graham was the chairman of the State board.

Mr. ARENS. Identify him a little further, please.

Mr. MOOREHEAD. Just how do you want him identified?

Mr. ARENS. What is he doing now?

Mr. MOOREHEAD. He is underground and has been for about 3 years as far as I am concerned.

Mr. ARENS. Passed away?

Mr. MOOREHEAD. No; he has been underground.

Mr. ARENS. I see.

Mr. MOOREHEAD. You don't hear of him anymore. I am not sure that he has passed away, but to all purposes——

Mr. ARENS. That is a term that can be interpreted either way.

How about Carl Wilson?

Mr. MOOREHEAD. Carl Wilson also I haven't seen in about 2 years.

Mr. ARENS. Is he likewise perhaps alive but underground?

Mr. MOOREHEAD. That is true.

Mr. ARENS. Who was another person in the leadership of the Communist conspiracy in Arizona?

Mr. MOOREHEAD. Lewis Johnson. I don't know whether he is. The last time I saw him was in the Federal court down here in Denver.

Mr. ARENS. During the course of your activity in the Communist conspiracy in the Phoenix, Ariz., area did you attend Communist Party training schools?

Mr. MOOREHEAD. I did.

Mr. ARENS. Tell us where they were, how many you attended, and who were the principal participants.

Mr. MOOREHEAD. I went to several. The first I went to was south of Phoenix in an orange grove where we had a building out of way. When we drove in, our cars couldn't be seen. Our membership—anybody couldn't be seen going in and out. If at night and we were having a meeting or a school there, the windows had blinds on them so nobody was any wiser than there was a meeting going on. We were picked out of different clubs to attend different meetings and different schools. Then at the Masonic Temple in Phoenix—I am sure this doesn't have anything to do with the Masonic lodge; that was the name of the building—we had party schools and meetings there.

Mr. ARENS. Tell us, who were the leaders conducting the schools and who were the principal participants attending the schools?

Mr. MOOREHEAD. I went to a school where a fellow by the name of Jim Forrest taught the school.

Mr. ARENS. Can you further identify Jim Forrest for us?

Mr. MOOREHEAD. As I know Jim Forrest was tried in St. Louis, Mo., under the Communist Conspiracy Act, and I think was sentenced from there to serve a term.

Mr. ARENS. Who else attended the school at which Jim Forrest was an instructor?

Mr. MOOREHEAD. Morris Graham, Freda Graham, John Dutch, Lew Johnson. Almost any of the top echelon of the party were there, most all of them. I can remember offhand many rank and file people.

Mr. ARENS. Who were some of the rank and file Communists who attended these party schools?

Mr. MOOREHEAD. There was Jimmy Patton and his wife, that I can think of right off. You can appreciate that in about 1947 or 1948 up to now it is hard to draw from memory some of the main ones. However, they were the rank and file people who were around the community there.

Mr. ARENS. To your knowledge how many groups or sections of the Communist Party were actually in existence in Phoenix?

Mr. MOOREHEAD. How many clubs and so forth?

Mr. ARENS. Yes.

Mr. MOOREHEAD. I say there must have been about 5 or 6 different clubs that I was in, first and last.

Mr. ARENS. Let's start with club No. 1, and go right on down the list. Tell us the name of the club you were in and those who were in the club with you.

Mr. MOOREHEAD. I was in the Joe Hill Club, and these people that I identified in the beginning, Chuck Fellows, Jimmy Patton, Jimmy Patton's wife, Duke Cunningham, Rufus Bell—all those migratory workers who were in the union were in the Joe Hill Club.

Mr. ARENS. The Joe Hill Club of the Communist Party?

Mr. MOOREHEAD. Yes. There was a Mike Quinn Club, a Jefferson Davis Club.

Mr. ARENS. You talked about the Joe Hill Club. Let's talk about the Mike Quinn Club. Who was in the Mike Quinn Club beside yourself?

Mr. MOOREHEAD. Whenever these people, the migratory workers, would move out to Colorado or California or anywhere, I was left in the State more or less without a club to go to, so I would go to one of these others, the Mike Quinn Club, as a visitor maybe for a few meet-

ings. Later on I would go to another club, the Thomas Jefferson Club, and the Jefferson Davis Club.

Mr. ARENS. Who was in the Mike Quinn Club?

Mr. MOOREHEAD. There was another, Turner.

Mr. ARENS. What was his first name?

Mr. MOOREHEAD. I can't remember. I should remember it. I believe it was Herbert. He was from Tucson. He came from Tucson. I didn't get too well acquainted with him because I wasn't in the Mike Quinn Club too much. There was a man there from Chicago, a fellow by the name of Joe Stearn. As I remember it he was an official in the club. A lot of them when you met them you just met them as comrade so-and-so, and you don't get their last names. If you happen to be there and they just attended 1 or 2 meetings you never learned who they were.

Mr. ARENS. What was your party name?

Mr. MOOREHEAD. Comrade Ray. That is the way they introduced me.

Mr. ARENS. Do you have a recollection of any persons who were members of the Thomas Jefferson Club?

Mr. MOOREHEAD. There was a fellow by the name of Moton.

Mr. ARENS. How do you spell that, do you recall?

Mr. MOOREHEAD. I believe it is M-o-t-o-n, Perkin Moton.

There was a fellow by the name of Rodriguez who was an official in the club.

Mr. ARENS. Was that his first or last name?

Mr. MOOREHEAD. The last name.

Mr. ARENS. Was he an official in the Thomas Jefferson Club?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Do you know where Rodriguez is now?

Mr. MOOREHEAD. He is dead. He died later on. The people that I was watching most were the people who were, not rank and file, but at the top of the party.

Mr. ARENS. Who were some of the people at the top of the party?

Mr. MOOREHEAD. I have mentioned the ones who were on the State board.

Mr. ARENS. All right. Were you also identified with the West Side Club?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Can you tell us the names of any of the individuals who were members of the West Side Club of the Communist Party?

Mr. MOOREHEAD. I believe that I didn't visit this West Side Club but very little. There were people—I believe I can tell you there was a woman by the name of Comrade Artie, and another person that I knew, I believe her name was Hart. There were several. I can't remember. I didn't attend the meetings of the West Side Club very often.

Mr. ARENS. You knew, however, there was a West Side Club of the Communist Party?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Was there also another club?

Mr. MOOREHEAD. I mentioned the Jefferson Davis Club.

Mr. ARENS. How about the Benjamin Davis Club.

Mr. MOOREHEAD. Yes; Benjamin Davis. I visited with that club. Lots of times I would go to one club for a week or two and then I would

go to another. They would send me to another club because they would meet at different times and different places. I would go from one to another.

Mr. ARENS. Did the Communist Party operate or control a bookstore in Phoenix during your membership until 1950?

Mr. MOOREHEAD. Yes.

Mr. ARENS. What bookstore did they control?

Mr. MOOREHEAD. I believe it was the Lincoln Book Store.

Mr. ARENS. Abraham Lincoln Book Store?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Do you recall where that was located?

Mr. MOOREHEAD. Fifth Street, about halfway between Fifth and Sixth, I believe.

Mr. ARENS. What occurred at the bookstore?

Mr. MOOREHEAD. That was party headquarters.

Mr. ARENS. Did they sell books, party literature?

Mr. MOOREHEAD. Yes; we sold books in the front and conducted business in the back.

Mr. ARENS. Who was in charge of the bookstore?

Mr. MOOREHEAD. Morris Graham.

Mr. ARENS. Can you tell us a word about the discipline to which you were subjected as a comrade?

Mr. MOOREHEAD. Yes. We didn't do anything that the party didn't tell us to do. We didn't do anything on our own initiative. The party told us what we would do at all times, more especially anything which pertained to politics. Any stand that we took on anything would come from the party.

Mr. ARENS. Can you tell us, without, I am sure, appearing to be lauding yourself, some of the sacrifices which you had to make as an undercover agent for the Federal Bureau of Investigation in serving your country by reporting on the Communist Party?

Mr. MOOREHEAD. Being in such a small community and being there so long, 25 years, I had raised my family and schooled them in that place. Everyone knows me by name and each neighbor knows practically everybody. It wasn't long after I joined the party until it was well known that I was a Communist, by rumor or by association with people that they were sure were Communists.

Mr. ARENS. You mean in your own community?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Among your friends there?

Mr. MOOREHEAD. Yes. As time went on one told the other that I was a Communist, and in 1 or 2 instances I was asked by good friends if I was a Communist. I couldn't afford to tell them I wasn't a Communist because at that time, if I had, probably any information I might have gotten later on would have been stopped right there. So I just told them, "You will have to guess whether I am a Communist or not."

Mr. ARENS. Did you suffer any ill effects economically from the standpoint of your work, promotions in your work, by your service to your country?

Mr. MOOREHEAD. Yes. I had a job with the Federal Inspection Marketing Service there, a Government job, and I got fired off that job for being a Communist. They needed inspectors and I knew the job and knew the job well and could perform well. I only worked 10 days when they sent back to Washington, D. C., to get my license. I guess

they gave me a loyalty check there, and when it came back they just didn't need me. I lost several jobs. It got to where I couldn't even work in the industry because feeling was high against communism. I had to leave the State to get work.

Mr. ARENS. Nevertheless, you stayed in the Communist conspiracy in order to report information to the Federal Bureau of Information to serve your country; is that correct?

Mr. MOOREHEAD. I did.

Mr. ARENS. Did the Communist Party ever request you or urge you to enlist your wife and children in the conspiracy?

Mr. MOOREHEAD. They did.

Mr. ARENS. What did you do about that?

Mr. MOOREHEAD. The first time I remember, there was a theater which was discriminating against colored people. There were no seats for colored people. They wanted my children to come down and join the picket line.

Mr. ARENS. That is, the Communist Party did?

Mr. MOOREHEAD. Yes; I told them I had to keep my family out of it. If they wanted me, well and good. The first two times the chairman of the State board asked me if I did not think that a divorce was in order if I couldn't bring my wife into line. We had quite a clash over it. I didn't agree with him on it, and I told him so, that I was willing to go along with the party and do my share, but that I didn't want him to run my personal affairs at home. Another time at a union meeting, when I first was in the party about 6 months they thought that my reputation and my life there in the community were such that they asked me to get up and admit in a union meeting that I was a Communist. That is when we were about to be thrown out. I told them I didn't want my head knocked off, and I knew right then there were at least six or eight 6-shooters in the building at the union meeting.

Mr. ARENS. During the course of your experience in the Communist Party did you ever run into a man by the name of Bill Gaitley, G-a-i-t-l-e-y?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Can you identify Bill Gaitley for us?

Mr. MOOREHEAD. He was from Mine, Mill, and Smelter Workers, and I believe he was from Globe. The first time I met him was in 1947 when Food, Tobacco, and Agriculture was on a strike. He was there in the strike in the union hall quite a few times. He made several talks for us. Later on at a school, as I mentioned at first, south of Phoenix, we were winding up the school on one Sunday and Bill Gaitley came out there also and made us a talk at this school.

Mr. ARENS. Did you know Bill Gaitley as a member of the Communist Party?

Mr. MOOREHEAD. I didn't see his party card, but he had no reason to be out there at this school if he wasn't a Communist because we weren't admitting people who weren't Communists.

Mr. ARENS. Was that a closed party meeting?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Do you here and now identify Bill Gaitley as a person who to your knowledge was a member of the Communist Party?

Mr. MOOREHEAD. To my knowledge, I might not say that I ever looked at his membership card but I have been in Communist Party meetings with him.

Mr. ARENS. Have you attended meetings with Bill Gaitley at which only comrades in good standing were admitted?

Mr. MOOREHEAD. That is right.

Mr. ARENS. Who was Herschel Hancock?

Mr. MOOREHEAD. He was the man who recruited me into the party. He was in Food, Tobacco, and Agriculture.

Mr. ARENS. Do you know where he is now?

Mr. MOOREHEAD. I don't, unless he is in California. The last I heard he was in California.

Mr. ARENS. After you and the other comrades were ejected from the Food, Tobacco, and Agricultural Workers, what did you do from the standpoint of service to the Communist Party?

Mr. MOOREHEAD. When we got thrown out I kept my regular meetings everywhere I could, because if you will understand, I was trying to get the information for the FBI. I didn't care anything about the party. I was trying to get all the information I could for the FBI. I kept my contact with the Joe Hill Club until it just fell apart. Then I would go in around headquarters and be invited to other meetings in the party.

Mr. ARENS. Were you in a dormant state within the Communist Party so far as activity was concerned within a labor organization?

Mr. MOOREHEAD. Yes.

Mr. ARENS. Did they regard you as dormant or a sleeper?

Mr. MOOREHEAD. Yes; they did. We didn't have any union to control. We had been thrown out of our union. Our officials in the party were more or less jittery and scared. You would just see them now and then, and they never had any news of any party meetings. The bookstore had been closed, shut down.

Mr. ARENS. Is the Communist Party pretty deep underground now in the Phoenix area?

Mr. MOOREHEAD. Yes, it is.

Mr. ARENS. How serious and how potent was the Communist Party prior to the time you went into the dormant state?

Mr. MOOREHEAD. It was strong, I would say. It was astonishing to me when I joined the party to learn that as many people were Communists as there were.

Mr. VELDE. When did you first join the party?

Mr. MOOREHEAD. 1947.

Mr. VELDE. When did it become dormant?

Mr. MOOREHEAD. More or less about 1951, along in there, 1950 or 1951.

Mr. ARENS. By dormant do you mean it went underground?

Mr. MOOREHEAD. Underground—in 1950 or 1951.

Mr. ARENS. To your knowledge, was it at that time a serious menace?

Mr. MOOREHEAD. If they ever doubted me as a true Communist Party member it is because I didn't recruit. That was always on the agenda, recruiting. Yes; really when I went in the party it was serious. We were asked to recruit, and recruit everybody we could.

Mr. ARENS. Mr. Chairman, we have completed our interrogation

of this witness, except that we want to extend the thanks of the staff for his cooperation with us.

The CHAIRMAN. Any questions, Mr. Velde?

Mr. VELDE. I want to add my thanks to you for serving your country so well. I have some idea, having been a former FBI agent myself, of the hardships you undercover agents suffer. We certainly appreciate the service that you have rendered to your country.

The CHAIRMAN. You are excused, with the thanks of the committee. Call your next witness.

Mr. ARENS. Mr. Bernard W. Stern, please.

The CHAIRMAN. Raise your right hand, please. Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STERN. I do.

TESTIMONY OF BERNARD W. STERN; ACCOMPANIED BY COUNSEL, NATHAN WITT

Mr. ARENS. Please identify yourself by name, residence and occupation.

Mr. STERN. My name is Bernard W. Stern. I live at 1809 South Michigan Way in Denver. I am an economist employed as research director for the Mine, Mill and Smelter Workers Union.

Mr. ARENS. Are you appearing today in response to a subpoena which was served upon you?

Mr. STERN. I am.

Mr. ARENS. Are you represented by counsel?

Mr. STERN. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. WITT. Nathan Witt, W-i-t-t, Post Office Box 156, New York, N. Y.

Mr. ARENS. Mr. Stern, where and when were you born?

Mr. STERN. I was born in Brooklyn, N. Y., February 12, 1912.

Mr. ARENS. A word about your education, please, sir.

Mr. STERN. I received my bachelor of science degree from the College of the City of New York in June 1933. Subsequent to that I took some graduate work at American University in Washington. I never received any graduate degree, though.

Mr. ARENS. Give us, if you please, a chronology of your employments since you completed your formal education.

Mr. STERN. Immediately after I completed college I continued on a job that I had had while going to school as a library assistant in a law library in New York City. I held that job until the end of 1935, I believe, and then went to work in a chocolate factory in Brooklyn for about 6 months and then received an appointment from the Civil Service Commission as a library assistant in the Department of Labor Library, in Washington, D. C.

Mr. ARENS. When did that employment begin?

Mr. STERN. June 1936.

Mr. ARENS. The Department of Labor Library?

Mr. STERN. That is right.

Mr. ARENS. How long did you remain in that job?

Mr. STERN. Approximately 1 year, and then I transferred to the Division of Economic Research of the National Labor Relations Board. That was about 1937.

Mr. ARENS. How long did you occupy that job?

Mr. STERN. I remained with the National Labor Relations Board, although the Division was, I think, abolished—I switched from the Division to the Legal Division, but the job was essentially the same—up until the end of June 1945.

Mr. ARENS. Did you occupy the same job with the National Labor Relations Board from 1937 to 1945?

Mr. STERN. There were reclassifications and promotions.

Mr. ARENS. What was your last job?

Mr. STERN. Senior industrial analyst.

Mr. ARENS. What precipitated your disassociation from the National Labor Relations Board in 1945?

Mr. STERN. I left voluntarily to take my present job with the Mine, Mill and Smelter Workers Union.

Mr. ARENS. Give us, if you please, a comparable chronology of your employment activities with the Mine, Mill and Smelter Workers.

Mr. STERN. I have been research director ever since the end of June 1945. Do you want a description of those duties?

Mr. ARENS. First, in what locations have you served?

Mr. STERN. At the time I went with Mine, Mill and Smelter, the headquarters were in Chicago, and I moved to Chicago to take the job. I remained in the Chicago area until we moved to Denver, which I believe was about January 1951.

Mr. ARENS. Have you been in the Denver area since 1951?

Mr. STERN. That is right.

Mr. ARENS. Who is your immediate superior?

Mr. STERN. I work under the supervision of all of the officers, although practically speaking, I work most directly with the resident officers, which would be the president and the secretary-treasurer, President John Clark, and Secretary-Treasurer Albert Pezzati.

Mr. ARENS. Please give us a word about your specific duties and responsibilities.

Mr. STERN. My job encompasses studying and keeping informed on trends within the national economy, trends within the industry, developments in collective bargaining throughout the country, keeping the officers and staff advised of all such developments, preparing material for their use on these subjects, participating in negotiations when requested, in general covering the field of economic and industrial development, plus keeping informed on developments in the particular field of occupational diseases with which the union is concerned.

Mr. ARENS. Mr. Stern, have you ever filed a personnel affidavit with the Federal Government under the provisions of the so-called Hatch Act?

Mr. STERN. May I consult my attorney on that a moment?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question under the privilege afforded me by the fifth amendment to the Constitution of the United States.

Mr. ARENS. I mark now a document as "Stern Exhibit No. 1," which is a photostatic copy of standard form No. 47, approved by the Bureau

of the Budget May 15, 1941, Personnel Affidavit, in which among other things this language appears:

I, Bernard W. Stern, do solemnly swear (or affirm) that I have read and understand the foregoing; that I do not advocate the overthrow of the Government of the United States by force or violence; that I am not a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence; and that during such time as I am an employee of the Federal Government I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States by force or violence.

There appears at the conclusion of this document dated June 21, 1941, with a notary's seal apparently subscribed and sworn to, the signature of Bernard W. Stern. I lay that before you and ask you if that is your signature.

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question. Would it be sufficient, Mr. Chairman, if I just say for the same reason?

The CHAIRMAN. By that do you mean the reason given a moment ago?

Mr. STERN. That is right.

The CHAIRMAN. All right.

Mr. ARENS. Were you an employee of the Federal Government on June 21, 1941?

Mr. STERN. I was.

Mr. ARENS. At that time were you a member of an organization that advocated the overthrow of the Government of the United States by force or violence?

Mr. STERN. I decline to answer that question for the same reasons previously given.

Mr. ARENS. Did you ever take or subscribe to an affidavit respecting your employment by the Federal Government which you knew at the time you signed was untruthful?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this document to which we have been alluding as "Stern Exhibit No. 1", be incorporated by reference in this record and retained in the files of the committee.

The CHAIRMAN. It is so ordered.

Mr. ARENS. Do you know a man by the name of Kenneth Eckert?

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Kenneth Eckert under oath before Hon. Jean S. Breitenstein, judge, United States District Court in Denver, December 1, 1955, testified among other things, as follows:

Question. And do you know whether or not Bernard Stern was at that time a member of the Communist Party?

Answer. Yes, he was.

Was Mr. Eckert lying or was he telling the truth when in this published record in the court he identified you as a member of the Communist Party?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Did you ever know a person by the name of Herbert Fuchs, F-u-c-h-s?

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Herbert Fuchs under oath before the House Committee on Un-American Activities, last fall in public session, testified among other things that he knew you as a member of the Communist Party in Washington. Was he lying or was he telling the truth?

Mr. STERN. I decline to answer that question for the same reason.

Mr. VELDE. Were you attending American University at the same time Professor Fuchs was there?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question for the same reason.

Mr. VELDE. When were you at American University?

Mr. STERN. I took courses at American University while working. I couldn't fix it too precisely, but my best recollection is from the period about 1940 to 1943 or 1944.

Mr. ARENS. Did you ever know a person by the name of Bellarmino Joe Duran?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Duran testified to the effect that he was under instructions when he was a member of the Communist Party to take orders from you. Did you transmit or cause to be transmitted Communist Party instructions to Bellarmino Duran?

(The witness conferred with his counsel.)

Mr. STERN. Might I ask when Mr. Duran said this, Mr. Arens?

Mr. ARENS. I am under the impression he said it in the course of his testimony.

Mr. STERN. Before this committee?

Mr. ARENS. Yes, sir. He has testified before this committee both in public and in executive session. If you have no recollection of that occurrence or if it is a case of mistaken concept, of course you may state so.

Mr. STERN. I wasn't here during all of his testimony. I am trying to find just when he said it.

(The witness conferred with his counsel.)

Mr. ARENS. Is it a fact that you caused or were in the conduit to transmit Communist Party instructions to Bellarmino Duran?

(The witness conferred with his counsel.)

Mr. STERN. I claim the privilege of the fifth amendment on that.

Mr. ARENS. Did you ever know a person by the name of Harry Brenner?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you and Harry Brenner were in a Communist Party cell in the National Labor Relations Board at the time of your employment by that agency of the Federal Government.

Mr. STERN. I decline to answer for the same reason.

Mr. ARENS. Did you ever know a person by the name of Harry Cooper?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that for the same reason.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you and Harry Cooper were comrades together in a Communist Party cell at the National Labor Relations Board between the years 1937 and 1945.

Mr. STERN. I decline to answer for the same reason.

Mr. ARENS. Are you now a member of the Communist conspiracy?
(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that for the same reason.

Mr. ARENS. Are you now under Communist Party discipline?

Mr. STERN. I decline to answer that for the same reason.

Mr. ARENS. Was your job with the International Union of Mine, Mill, and Smelter Workers procured for you by a person known by you to be a member of the Communist conspiracy?

Mr. STERN. My job with the International Union of Mine, Mill, and Smelter Workers was given to me by unanimous vote of the international executive board of the Mine, Mill, and Smelter Workers Union after I applied for it.

Mr. ARENS. To your certain knowledge how many of the members of the executive board were at that time members of the Communist conspiracy?

(The witness conferred with his counsel.)

Mr. STERN. I decline to answer for the same reason.

Mr. ARENS. Give us the membership of this board you say employed you. Who were its members?

Mr. STERN. At the time the president was Reid Robinson.

Mr. ARENS. Was Reid Robinson a member of the Communist Party?
(The witness conferred with his counsel.)

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Who was next in line on the board?

Mr. STERN. The vice president at that time was Ralph Rasmussen.

Mr. ARENS. Was Ralph Rasmussen a member of the Communist conspiracy?

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Another name, please.

Mr. STERN. James Leary was the secretary—do you want me to go down the list and then we can come back?

Mr. ARENS. Name the whole list and then we will come back and ask a few questions about them en banc.

Mr. STERN. James Leary was the secretary-treasurer at the time. Then taking the board members by districts, district 1 was William Mason, district 2 was Dan Edwards, district 3 was Angelo Verdu, district 4 was Leonard Douglas, district 5 was Homer Wilson, district 6 was John Manowsky, district 7 was Chase Powers, and district 8 was Robert Carlin. At that time district 8 was Canada.

Mr. ARENS. To your knowledge, were any of those persons you just enumerated not members of the Communist conspiracy?

Mr. STERN. I decline to answer that question.

Mr. ARENS. Were all of them members of the Communist conspiracy?

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. In your work as an economist for the Mine, Mill, and Smelter Workers, have you taken directions and orders from the Communist conspiracy in the performance of your day-by-day duties?

Mr. STERN. I decline to answer that question for the same reason.

Mr. ARENS. Have your economic theories and the economic program which you have been working on at any time been at variance with the economic theories and program of the international Communist conspiracy?

(The witness conferred with his counsel.)

Mr. STERN. Let me put it this way, Mr. Arens: As an economist I consult and read anything and everything that I think might be useful to me in my work, and that would cover a pretty wide range of theories; a pretty wide range.

Mr. ARENS. Have you ever taken a position at variance with the Marxist philosophy and economic theory of communism as enunciated by the principal leaders of the Soviet Union?

Mr. STERN. Would you want to explain what those theories are?

Mr. ARENS. You are the economist. You would be much better equipped to make an appraisal of any variations which you may have had in your economic theories and your work than I. I am a lawyer.

Mr. STERN. I am sure it is almost inevitable that in the many years I have worked as an economist I have approached and adopted theories that were at variance with almost any and every accepted theory.

Mr. ARENS. Have you ever taken a stand in your economic theories against the interests of the Communist Party of the United States?

Mr. STERN. Would you care to explain what those interests are?

Mr. ARENS. Again, you are the economist, so tell us whether or not you have done that.

Mr. STERN. My main guiding stick or touchstone is to try not to take positions that are at variance with the interests of the membership of this union. That is my main touchstone.

Mr. ARENS. Have you taken any stand at variance with the interests of the Communist conspiracy in this country?

Mr. STERN. Would you care to define what those interests are?

Mr. ARENS. I suggest that you would perhaps be a better judge of the position which you have taken.

Mr. STERN. I would assume just as a matter of chance that that was inevitable, that I have taken positions at variance with almost any and every theory.

Mr. ARENS. Have you ever been disciplined by the Communist conspiracy for not quite toeing the mark?

Mr. STERN. I decline to answer that question on the same grounds.

Mr. ARENS. Who is the counsel to the International Union of Mine, Mill, and Smelter Workers?

Mr. STERN. Mr. Nathan Witt, who is sitting at my left.

Mr. ARENS. Could you help us a little bit and tell us where Albert Pezzati might be?

Mr. STERN. I don't know.

Mr. ARENS. When did you last see him?

Mr. STERN. Saturday before last in Salt Lake City.

Mr. ARENS. Did you have any discussion with him about the fact that our committee was looking for him?

Mr. STERN. We discussed many subjects. Of course, our main concern was the present bargaining situation. We are getting into bargaining right now. I would say it is possible that may have come up but, frankly, I don't recall any details of any discussion with him.

Mr. ARENS. Do you know whether Al Pezzati is a member of the Communist conspiracy?

Mr. STERN. I decline to answer that question on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that we conclude our interrogation of this witness, and it might be appropriate to recess at this time.

The CHAIRMAN. The witness is excused from further attendance under the subpoena.

The committee will stand in recess for 5 minutes.

(Brief recess.)

The CHAIRMAN. The committee will be in order.

Call your next witness.

(Committee members present: Representatives Walter and Velde.)

Mr. ARENS. Harold Sanderson.

The CHAIRMAN. Will you raise your right hand. Do you swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SANDERSON. I do.

The CHAIRMAN. Be seated.

TESTIMONY OF HAROLD C. SANDERSON; ACCOMPANIED BY COUNSEL, NATHAN WITT

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Mr. SANDERSON. My name is Harold C. Sanderson. I live at 2076 South St. Paul Street, Denver. I am comptroller of the International Union of Mine, Mill and Smelter Workers.

Mr. ARENS. Are you appearing today in response to a subpoena served upon you by the House Committee on Un-American Activities?

Mr. SANDERSON. I am.

Mr. ARENS. Are you represented by counsel?

Mr. SANDERSON. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. WITT. Nathan Witt, W-i-t-t-, Post Office Box 156, New York, N. Y.

Mr. ARENS. Where and when were you born, Mr. Sanderson?

Mr. SANDERSON. I was born in Cleveland, Ohio, on May 19, 1914.

Mr. ARENS. A word if you please, sir, about your education.

Mr. SANDERSON. I went to grammar school in Cleveland, also in Newark, N. J. I was graduated from high school in Newark, N. J. I took some college courses at the College of the City of New York. I never received a degree.

Mr. ARENS. When did you last take courses at the College of the City of New York?

Mr. SANDERSON. I should guess somewhere around 1934.

Mr. ARENS. Now, if you please, sir, give us a brief chronological account of your employment since you completed your formal education.

Mr. WITT. Excuse me, Mr. Counsel and Mr. Chairman. I am not certain the photographer has in mind to keep taking pictures while Mr. Sanderson is testifying.

The CHAIRMAN. You may take a picture before the witness testifies, but not during the testimony.

Mr. WITT. We have no objection if the photographer wants to take any more now.

The CHAIRMAN. Proceed.

Mr. SANDERSON. For 2 or 3 years—in the history part of it I am not too sure of the dates—for about 2 or 3 years, I worked for the

Keystone Iron & Wire Works in New York City. I was a stenographer there. Then I worked for the National Maritime Union.

Mr. ARENS. Give us the dates of the Maritime Union service, please.

Mr. SANDERSON. I would say it was in 1937 and 1938.

Mr. ARENS. In what capacity were you with the National Maritime Union?

Mr. SANDERSON. I worked in their bookkeeping department. I was a cashier there. Then I went to work for local 251 of the International Union of Mine, Mill, and Smelter Workers in Waterbury, Conn.

Mr. ARENS. Would you pause there? Do you recall when you first commenced with local 251?

Mr. SANDERSON. I would say in 1939, about the beginning of the year.

Mr. ARENS. In Connecticut?

Mr. SANDERSON. In Connecticut.

Mr. ARENS. In what capacity were you employed?

Mr. SANDERSON. I handled the books of the local union.

Mr. ARENS. Kindly continue to trace your employment.

Mr. SANDERSON. And in 1940 I went to work for the National Office of the International Union of Mine, Mill, and Smelter Works.

Mr. ARENS. In what capacity?

Mr. SANDERSON. I was secretary to the president of the union.

Mr. ARENS. Who was he?

Mr. SANDERSON. Reid Robinson.

Mr. ARENS. Where was that?

Mr. SANDERSON. In Denver.

Mr. ARENS. All right, sir. Kindly continue.

Mr. SANDERSON. I continued in my employment with the international union ever since then.

Mr. ARENS. Have you been located in Denver ever since 1940?

Mr. SANDERSON. The national office moved from Denver to Chicago in 1945, and I went with the office at that time. Then in 1951 we returned to Denver, and I came back here.

Mr. ARENS. You have been in continuous employment with the National since 1940?

Mr. SANDERSON. Yes.

Mr. ARENS. Your present title or position is comptroller; is that correct?

Mr. SANDERSON. Right.

Mr. ARENS. Give us, if you please, Mr. Sanderson, a word about your duties and responsibilities.

Mr. SANDERSON. I have general supervision of the handling of the financial records of the organization and general supervision of the office itself.

Mr. ARENS. How many members are there, dues-paying members, of the Mine, Mill, and Smelter Workers?

Mr. SANDERSON. I would say, as a rough estimate, about 80,000.

Mr. ARENS. What is the total income of the organization from membership dues?

Mr. SANDERSON. I don't know.

Mr. WITT. If he gave the per capita, perhaps that would suffice.

Mr. SANDERSON. The per capita is \$1.25 a member, except for those in Canada, who pay only 55 cents a member.

Mr. ARENS. It would be \$1.25 a member per what—week or month?

Mr. SANDERSON. Per month for those members in the United States, and 55 cents a member per month for the members in Canada.

Mr. ARENS. Tell us what is your break between your Canadian membership—

Mr. SANDERSON. I would say in Canada they have about 30,000 members and we have about 40,000 or 45,000 or more in the States.

Mr. ARENS. Is there the same relationship between the top echelon of the organization in the United States to its members as there is between the top echelon of the organization in the United States and the Canadian members?

Mr. WITT. If I may, it is a rather complicated question in view of the setup.

Mr. ARENS. I may have made it unnecessarily complicated. I want to know if it is all one organization under one group of leaders?

Mr. SANDERSON. The Canadian union has their own national president, national secretary-treasurer, and national executive board. They have a tie with the international union through the financial contribution. We might send a representative to their executive board meetings and they send them to ours. We have consultation on bargaining and other questions like that.

Mr. ARENS. You have your Canadian organization and your American organization. Is there an interlocking official relationship among the directors or officers of the two entities?

(The witness conferred with his counsel.)

Mr. WITT. If you would be good enough, I think we can save a little time if you let me try it.

Mr. ARENS. We would be glad to have you tell us.

Mr. WITT. As Mr. Sanderson has said, the Canadian organization has its own executive board and its own officers in the same way as the international union here has, but the international officers of the union in the United States are also the international officers for the union in Canada.

Mr. ARENS. That is what I was driving at.

The CHAIRMAN. Is there only 1 district in Canada and 7 in the United States?

Mr. WITT. We don't call it district any more, Chairman Walter. It used to be. I know you are asking that because of Mr. Sanderson's answer before. But it has been wiped out as a district in view of change in relationship which took place in recent years. So Canada is not a district now.

Mr. ARENS. Do the Canadian members make a contribution to the Canadian organization separate and apart and distinct from the contribution they make to the international office here?

Mr. SANDERSON. I can explain that. They pay the same per capita, the Canadian locals pay \$1.25 per capita per month to the Canadian office, which in turn sends the international office 55 cents per member per month.

Mr. ARENS. Tell us how many mines in the United States, establishments in the nature of mines, include members of your organization.

Mr. SANDERSON. I don't have that information. As a matter of fact—

Mr. ARENS. What is your best recollection or judgment on that?

Mr. SANDERSON. Mr. Stern would be a better authority on that. It would be a guess on my part.

Mr. ARENS. Where is the concentration of membership?

Mr. SANDERSON. In the Rocky Mountain States is where you find the basic nonferrous metal operations, although we have local unions in the East, in Connecticut, in New Jersey, and in California, the State of Washington, and through the Midwest, Illinois, Ohio, Missouri, and in the South, Alabama and Georgia, South Carolina and Mississippi.

Mr. ARENS. Do you have any in Pennsylvania?

Mr. SANDERSON. We have one local now, I believe, in Erie.

Mr. WITT. Is that Mr. Walter's district?

Mr. SANDERSON. I don't know.

The CHAIRMAN. That is in the other end of the State.

Mr. ARENS. How many shop stewards do you have?

Mr. SANDERSON. I don't know the answer to that question.

Mr. ARENS. Are you familiar with the organizational structure within the organization?

Mr. SANDERSON. We have shop stewards in the local unions. Some locals don't have shop stewards. They are not organized on that method. So I really don't know. I couldn't give you an accurate answer as to how many we have in the national.

Mr. ARENS. Do you know a person by the name of Kenneth Eckert, E-c-k-e-r-t?

Mr. SANDERSON. I refuse to answer that under the privilege of the fifth amendment.

Mr. ARENS. Kenneth Eckert testified before Hon. Jean S. Breitenstein, United States district judge, December 1, 1955. I should like to read you some questions and answers.

Question. Now do you know whether or not Harold Sanderson was at that time a member of the Communist Party?

Answer. Yes.

Question. And was he?

Answer. Yes.

Was Mr. Eckert lying or was he telling the truth when he testified in the manner which I have just excerpted from his testimony?

Mr. SANDERSON. I refuse to answer that on the grounds previously stated.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SANDERSON. I refuse to answer that on the grounds previously stated.

Mr. ARENS. Are you under Communist Party discipline?

Mr. SANDERSON. I refuse to answer that on the grounds previously stated.

Mr. ARENS. Have you ever signed a non-Communist affidavit under the National Labor Relations Board?

Mr. WITT. Answer that.

Mr. SANDERSON. No, I never have.

Mr. ARENS. You weren't in that category of persons who would be embraced by that?

Mr. SANDERSON. I am an employee, not an officer.

Mr. ARENS. Do you have information respecting the expenditure of funds of the International Union of Mine, Mill, and Smelter Workers?

Mr. SANDERSON. I have information—

Mr. ARENS. I mean does that fall within the purview of your operation?

Mr. SANDERSON. Yes; it falls within—

Mr. ARENS. Can you tell us whether or not within the course of the last fiscal year this organization has made contributions to any entity or organization controlled by the Communist conspiracy in this country?

(The witness conferred with his counsel.)

Mr. SANDERSON. I would answer that but I am afraid it is a little too general. I don't hesitate to answer who we have made contributions to.

Mr. ARENS. Has the union made any contributions to the American Committee for Protection of Foreign Born?

Mr. WITT. This is still the last year, Mr. Arens?

Mr. ARENS. In the course of your knowledge, let us put it that way. Has it made any contributions to the American Committee for Protection of Foreign Born?

(The witness conferred with his counsel.)

Mr. SANDERSON. In the past year; no.

Mr. ARENS. Has it made any contributions in the course of your knowledge to the defense of persons who were under indictment or subject to trial under the Smith Act?

Mr. SANDERSON. No; to the best of my knowledge.

Mr. ARENS. Has it to your knowledge paid any salaries to persons who to your knowledge are members of the Communist Party?

(The witness conferred with counsel.)

Mr. SANDERSON. I will refuse to answer that. I will claim the privilege under the fifth amendment.

Mr. ARENS. Is there any income of the International Union of Mine, Mill, and Smelter Workers other than from these dues we have been talking about?

(The witness conferred with his counsel.)

Mr. SANDERSON. The chief source of income of the union, as any other union, is through per capita tax payments from the local unions, but we also receive income through initiation fees, through new members coming into the organization, through the sale of various supplies to local unions, such as equipment needed by the locals to conduct their affairs. We have a defense fund which receives contributions generally from local unions and from individuals. That is about the main source.

Mr. ARENS. Is this defense fund a strike fund?

Mr. SANDERSON. No.

Mr. ARENS. For the defense of what or whom is the fund?

Mr. SANDERSON. It was set up to defend—pardon me just a moment.

(The witness conferred with his counsel.)

Mr. SANDERSON. It was set up to defend union members who were under attack legally, you know, in the courts.

Mr. ARENS. What would be the nature of the attack?

Mr. SANDERSON. It would flow from their activity in the union.

Mr. ARENS. Who were some of the members of the organization who were the beneficiaries of this defense fund?

(The witness conferred with his counsel.)

Mr. SANDERSON. I want to make clear first that they didn't receive it personally themselves, you know.

Mr. ARENS. They benefited?

Mr. SANDERSON. That is right. In the case of Clinton E. Jencks, who was a member of our union, and Maurice Travis, who used to be secretary-treasurer of our union. I should also explain that this fund is separate and apart from the general treasury of the union.

Mr. ARENS. What is the amount of the fund?

Mr. SANDERSON. You mean what is its balance at the present time?

Mr. ARENS. Yes.

Mr. SANDERSON. It is not too great a balance. It depends, as I say, on these contributions. A few thousand dollars.

Mr. ARENS. Have the dues of these members been used, to your knowledge, to assist and defend persons who were tried because of Communist Party activities?

(The witness conferred with his counsel.)

Mr. SANDERSON. No dues have been used for that purpose.

Mr. ARENS. What was Maurice Travis tried for?

Mr. SANDERSON. He was tried for falsifying a non-Communist affidavit, as I understand.

Mr. ARENS. Were dues of the members used to finance the defense of Travis from the charge lodged against him of falsifying a non-Communist affidavit?

(The witness conferred with his counsel.)

Mr. SANDERSON. I would say Mr. Travis' defense has been financed mainly by this defense fund which came from contributions from local unions and from individuals and is not part of the general fund of the union or the per capita tax paid by local unions.

Mr. WITT. If I may say—

Mr. ARENS. I think he has made it pretty clear, Mr. Witt.

Mr. WITT. Except the reason he consulted me. That would be true up to, say, 98 percent. Of course, the offices used by people working on the case and that kind of thing.

The CHAIRMAN. Any further questions, Mr. Arens?

Mr. VELDE. May I ask a question?

With what was the other defendant charged?

Mr. SANDERSON. A similar charge.

Mr. VELDE. And the fund was used in the same way in his defense?

Mr. SANDERSON. Yes.

The CHAIRMAN. Any further questions?

Mr. ARENS. No.

The CHAIRMAN. The witness is excused from further attendance under the subpoena?

Call your next witness.

Mr. ARENS. Eunice Dolan, please.

The CHAIRMAN. Will you raise your right hand, please. Do you swear that the testimony you are about to give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. DOLAN. I do.

The CHAIRMAN. Be seated, please.

TESTIMONY OF EUNICE DOLAN (MRS. GRAHAM DOLAN), ACCOMPANIED BY COUNSEL, JAMES W. WILSON

Mr. ARENS. Kindly identify yourself by name, residence, and occupation, Mrs. Dolan.

Mrs. DOLAN. My name is Mrs. Graham Dolan. I live at 3241 West 54th Avenue, and I am a housewife and mother.

Mr. ARENS. Are you the wife of Graham Dolan?

Mrs. DOLAN. Yes.

Mr. ARENS. Are you appearing today, Mrs. Dolan, in response to a subpoena which was served upon you by the House Un-American Activities Committee?

Mrs. DOLAN. Yes.

Mr. ARENS. Are you represented by counsel?

Mrs. DOLAN. I am.

Mr. ARENS. Will counsel kindly identify himself?

Mrs. DOLAN. James W. Wilson, attorney at law, 611 E and C Building, Denver, Colo.

Mr. ARENS. Mrs. Dolan, have you ever been identified with the publication known as Challenge?

(The witness conferred with her counsel.)

Mrs. DOLAN. The Constitution of the United States provides me through the Bill of Rights not to bear witness against myself and I will avail myself of the privilege of the fifth amendment and refuse to answer that question.

Mr. ARENS. Have you been advised that the constitutional provision which you are invoking permits you to assert a right not to give information which could be used against you in a criminal proceeding?

Mrs. DOLAN. Are you asking me what my attorney just told me?

Mr. ARENS. I am asking if you have been advised of that fact. I want to be sure you understand your rights here.

Mrs. DOLAN. I think that my attorney will advise me of my rights. I have taken for granted that he is the person who will advise me.

Mr. ARENS. Do you honestly apprehend, that if you told this committee whether or not you have ever been identified with the publication known as Challenge, you would be supplying information which could be used against you in a criminal proceeding?

(The witness conferred with her counsel.)

Mrs. DOLAN. I will refuse to answer on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mrs. DOLAN. I refuse to answer on the same grounds.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that you were assistant editor of Challenge.

(The witness conferred with her counsel.)

Mrs. DOLAN. I refuse to answer on the same grounds.

Mr. ARENS. Did you ever know a person by the name of Frederick Henser, H-e-u-s-e-r?

Mrs. DOLAN. Who?

Mr. ARENS. Frederick Henser, H-e-u-s-e-r.

(The witness conferred with her counsel.)

Mrs. DOLAN. I refuse to answer on the same grounds.

Mr. ARENS. I would like to read some testimony, Mrs. Dolan, before Hon. Jean S. Breitenstein, United States district court judge. This testimony was given under oath on April 26, 1955, by Frederick Heuser. I will merely read you an excerpt from that testimony.

Question. Did he tell you what the security apparatus was in Denver at that time?

Answer. Yes.

Question. What did he tell you the security apparatus was in Denver?

Answer. He said, If I came over here, that I was to call a number and ask for Eunice Dolan.

Question. What was that name?

Answer. Eunice Dolan. And that I was to tell her I was some name starting with "L. P.," like Larry Peters, and I was to go to Sears, Roebuck to their parts, auto parts, department and carry two magazines under my arm, one a Life magazine and the other a Colliers, and that the person I was to contact would carry an unopened package of cigarettes in their left hand. If everything appeared to be all right, we would make contact. I would walk to that person—and so forth.

Did you at any time have any contact or conversation with a person who testified under oath before Judge Breitenstein, namely Frederick Heuser?

Mrs. DOLAN. I refuse to answer that question on the same grounds.

Mr. ARENS. Do you honestly apprehend if you told this committee the truth with respect to that last principal question you would be giving information which might be used against you in a criminal proceeding?

Mrs. DOLAN. I refuse to answer that on the same grounds.

Mr. ARENS. I respectfully suggest that the witness be directed to answer that question, Mr. Chairman.

The CHAIRMAN. You are directed to answer the question.

Mrs. DOLAN. Mr. Chairman, I refuse to answer on the same grounds.

Mr. ARENS. Have you ever been identified with the Women's International League for Peace and Freedom?

Mrs. DOLAN. I am proud of my membership. I have belonged for a number of years. That organization was organized in 1915 by such wonderful women as Jane Adams and a few others of her kind, and I am very proud of my association with those people.

Mr. ARENS. How long have you been a member of the Women's International League for Peace and Freedom?

Mrs. DOLAN. I think that I have belonged for 5 or 6 years. It may be longer than that. I am not sure exactly how long.

Mr. ARENS. Back in 1954 was there a big battle developed within the Women's International League for Peace and Freedom among the members of the Denver chapter over the question of Communist infiltration of the group?

Mrs. DOLAN. No. No.

Mr. ARENS. There wasn't?

Mrs. DOLAN. No; there wasn't. There was a man, I think, who joined or tried to join the Women's International League and the women were extremely suspicious of his membership and I think that it was because of his activities within the local branch that there was some difficulty over him, but not on any other basis.

Mr. ARENS. What office or post did you hold in the Women's International League for Peace and Freedom?

Mrs. DOLAN. I was a member of the executive board as finance chairman, helping to raise funds for the activity of the organization.

Mr. ARENS. How long did you hold that post, Mrs. Dolan?

Mrs. DOLAN. I think that it was 2 years. We moved out of town. So I didn't go back on the board.

Mr. ARENS. Do you recall the years which you were a member?

Mrs. DOLAN. As finance chairman?

Mr. ARENS. Yes.

Mrs. DOLAN. I can't remember which years.

Mr. ARENS. 1954, 1955, thereabouts?

Mrs. DOLAN. We weren't here in 1955, I don't think. I can't remember whether we were here all of 1954.

Mr. ARENS. Where did you move?

Mrs. DOLAN. We moved to Butte, Mont.

Mr. ARENS. Were you a member of the Communist Party at the time you were identified with the Women's International League for Peace and Freedom?

Mrs. DOLAN. I refuse to answer that question on the grounds previously stated.

Mr. ARENS. Do you honestly apprehend if you gave a truthful answer to that question you would be supplying information which might be used against you in a criminal proceeding?

Mrs. DOLAN. I refuse to answer that question on the same grounds.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that the witness be directed to answer that question.

The CHAIRMAN. You are directed to answer the question.

Mrs. DOLAN. Mr. Chairman, I refuse to answer on the same grounds.

Mr. ARENS. Are you now a member of the Communist Party?

Mrs. DOLAN. I refuse to answer that question.

Mr. ARENS. Are you now under Communist Party discipline?

Mrs. DOLAN. I refuse to answer that question.

Mr. ARENS. I take it on the same grounds?

Mrs. DOLAN. On the same grounds. I could talk about the fifth amendment, but I think you understand what I mean.

Mr. ARENS. Tell us, if you please, the organizations to which you currently belong.

Mrs. DOLAN. I don't belong to the Elks. Sometimes it feels like I have belonged to the PTA all my life, but I think it is actually 20 years.

Mr. ARENS. That is in Montana?

Mrs. DOLAN. No, no.

Mr. ARENS. You have moved back to Denver?

Mrs. DOLAN. Yes. I gave a local address.

Mr. ARENS. I beg your pardon. You are correct in that.

Mrs. DOLAN. I think it is 20 years this year.

Mr. ARENS. Do you hold an office in the PTA?

Mrs. DOLAN. I have held office in various PTA's that I have belonged to. I got my 5-year membership in the triple A yesterday. I belong to the Bluebird Mothers' Club, a mothers' group which is the junior group of the Camp Fire Girls. I guess that is it.

Mr. ARENS. Are those all of the organizations to which you belong? (The witness conferred with her counsel.)

Mrs. DOLAN. I can't think of any others.

Mr. ARENS. Is there any other organization of any kind, character, or description to which you now belong?

Mrs. DOLAN. I can't think of any others. I used to belong to the Newspaper Guild Auxiliary.

Mr. ARENS. If you can't think of any others, may I suggest one and see if you can recall that one. Do you belong to the Communist Party?

Mrs. DOLAN. I refuse to answer that question on the same grounds.

Mr. ARENS. Do you deny you are a member of the Communist Party?

Mrs. DOLAN. I refuse to answer that question on the same grounds.

Mr. ARENS. Have you told us all of the organizations to which you belong?

Mrs. DOLAN. I have told you the organizations that I can think of that I belong to.

Mr. ARENS. Then there is no other organization to which you belong that you haven't told us about; is that correct?

Mrs. DOLAN. It seems, Mr. Arens, that you have asked that question several times.

Mr. ARENS. I just want to get it clear on this record.

Mrs. DOLAN. I am clear. I thought that I had answered it clearly. I am sorry if I don't make myself clear.

The CHAIRMAN. Answer the question, then.

Mrs. DOLAN. I can't think of any other organizations. Is that what you asked me?

Mr. ARENS. Yes.

We have no further questions of this witness.

The CHAIRMAN. The witness is excused from further attendance subject to the subpoena.

Mr. ARENS. We have no further witness for today, Mr. Chairman. I think it ought to be announced, however, that we attempted to subpoena Albert Pezzati and were unable to locate him.

The CHAIRMAN. The committee will adjourn to meet tomorrow morning at 10.

(Whereupon, at 3:40 p. m., Wednesday, May 16, the committee was recessed, to reconvene at 10 a. m. the following day, Thursday, May 17, 1956.)

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